

**JOURNAL**

**OF**

**THE SENATE**

**OF**

**THE UNITED STATES OF AMERICA;**

**BEING THE THIRD SESSION OF THE ELEVENTH CONGRESS:**

**BEGUN AND HELD**

**AT THE CITY OF WASHINGTON,**

**DECEMBER 3, 1810,**

**AND IN THE THIRTY-FIFTH YEAR OF THE INDEPENDENCE OF THE SAID STATES.**

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Printed by order of the Senate of the United States.

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**WASHINGTON:**

**PRINTED BY GALES & SEATON.**

**1821.**

# CONGRESS OF THE UNITED STATES.

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THE Third Session of the Eleventh Congress, conformably to the constitution of government of the United States, commenced this day; and the Senate assembled at the city of Washington.

MONDAY, DECEMBER 3, 1810.

PRESENT,

From the State of New Hampshire, the Honorable	{ Nicholas Gilman, and Charles Cutts.
Connecticut,	the Honorable
Vermont,	the Honorable
New York,	the Honorable
Pennsylvania,	the Honorable
Delaware,	the Honorable
Maryland,	the Honorable
Virginia,	the Honorable
South Carolina,	the Honorable
Georgia,	the Honorable
Kentucky,	the Honorable
Ohio,	the Honorable
	{ William H. Crawford, and Charles Tait.
	John Pope.
	Alexander Campbell.

The Honorable JOHN GAILLARD, President pro tempore, resumed the chair.  
The number of Senators present not being sufficient to constitute a quorum,

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, DECEMBER 4, 1810.

The Senate assembled; present as yesterday; and the Honorable John Lambert, from the state of New Jersey, the Honorable Elisha Mathewson, from the state of Rhode Island, and the Honorable Philip Reed, from the state of Maryland, severally attended.

The credentials of the Honorable Charles Cutts, appointed a Senator by the legislature of the state of New Hampshire, in place of Nahum Parker, esquire, resigned; also, of the Honorable Samuel W. Dana, appointed a Senator by the legislature of the state of Connecticut, in place of James Hillhouse, esquire, resigned, were severally read; and the oath required by law was, by the President, administered to them, respectively.

On motion, by Mr. Smith, of Maryland,

*Ordered*, That the Secretary acquaint the House of Representatives that a quorum of the Senate is assembled and ready to proceed to business.

On motion,

*Ordered*, That Messrs. Smith, of Maryland, and Gilman, be a committee on the part of the Senate, together with such committee as may be appointed by the House of Representatives on their part, to wait on the President of the United States and notify him that a quorum of the two Houses is assembled and ready to receive any communications that he may be pleased to make to them.

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: I am directed to inform the Senate that a quorum of the House of Representatives is assembled and ready to proceed to business. The House of Representatives have appointed a committee on their part, jointly, with such committee as may be appointed on the part of the Senate, to wait on the President of the United States and notify him that a quorum of the two Houses is assembled and ready to receive any communications that he may be pleased to make to them. And he withdrew.

On motion, by Mr. Smith, of Maryland,

*Resolved*, That each Senator be supplied, during the present session, with three such newspapers printed in any of the states as he may choose, provided that the same be furnished at the usual rate for the annual charge of such papers: and provided, also, that if any Senator shall choose to take any newspapers other than daily papers, he shall be supplied with as many such papers as shall not exceed the price of three daily papers.

On motion, by Mr. Smith, of Maryland,

*Resolved*, That James Mathers, Sergeant-at-Arms and Doorkeeper to the Senate, be, and he is hereby, authorized to employ one assistant and two horses, for the purpose of performing such services as are usually required by the Doorkeeper to the Senate; and that the sum of twenty-eight dollars be allowed him weekly for that purpose, to commence with, and remain during the session, and for twenty days after.

Mr. Smith, of Maryland, submitted the following motion for consideration:

*Resolved*, That two chaplains, of different denominations, be appointed to Congress during the present session, one by each House, who shall interchange weekly.

Mr. Giles presented the petition of Larkin Smith, collector of the district of Norfolk and Portsmouth, in Virginia, praying additional compensation, for reasons stated at large in his petition; which was read.

On motion, by Mr. Giles,

*Resolved*, That it be referred to a select committee, to consider and report thereon; and

*Ordered*, That Messrs. Giles, Crawford, and Leib, be the committee.

Mr. Smith, of Maryland, reported from the joint committee that they had waited on the President of the United States, agreeably to order, and that the President informed the committee that he would make a communication to the two Houses to-morrow, at 12 o'clock.

Mr. Smith, of Maryland, gave notice that, to-morrow, he should ask leave to bring in a bill to suspend the second section of the "Act supplementary to the act, entitled 'An act regulating foreign coins, and for other purposes.'"

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

**WEDNESDAY, DECEMBER 5, 1810.**

The Honorable Timothy Pickering, from the state of Massachusetts, and the Honorable Stephen R. Bradley, from the state of Vermont, severally attended.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*Fellow-citizens of the Senate and of the House of Representatives:*

The embarrassments which have prevailed in our foreign relations, and so much employed the deliberations of Congress, make it a primary duty in meeting you to communicate whatever may have occurred in that branch of our national affairs.

The act of the last session of Congress, concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, having invited, in a new form, a termination of their edicts against our neutral commerce; copies of the act were immediately forwarded to our ministers at London and Paris, with a view that its object might be within the early attention of the French and British governments.

By the communication received through our minister at Paris, it appeared that a knowledge of the act by the French government, was followed by a declaration that the Berlin and Milan decrees were revoked, and would cease to have effect on the first day of November ensuing. These being the only known edicts of France within the description of the act, and the revocation of them being such that they ceased at that date to violate our neutral commerce, the fact, as prescribed by law, was announced by a proclamation, bearing date the second day of November.

It would have well accorded with the conciliatory views indicated by this proceeding on the part of France, to have extended them to all the grounds of just complaint which now remain unadjusted with the United States. It was particularly anticipated that, as a further evidence of just dispositions towards them, restoration would have been immediately made of the property of our citizens, seized under a misapplication of the principle of reprisals, combined with a misconstruction of the law of the United States. This expectation has not been fulfilled.

From the British government, no communication on the subject of the act has been received. To a communication, from our minister at London, of a revocation, by the French government, of its Berlin and Milan decrees, it was answered, that the British system would be relinquished as soon as the repeal of the French decrees should have actually taken effect, and the commerce of neutral nations have been restored to the condition in which it stood previously to the promulgation of those decrees. This pledge, although it does not necessarily import, does not exclude, the intention of relinquishing, along with the orders in council, the practice of those novel blockades, which have a like effect of interrupting our neutral commerce: and this further justice to the United States is the rather to be looked for, inasmuch as the blockades in question, being not more contrary to the established law of nations than inconsistent with the rules of blockade formally recognized by Great Britain herself, could have no alleged basis other than the plea of retaliation, alleged as the basis of the orders in council. Under the modification of the original orders, of November, 1807, into the orders of April, 1809, there is, indeed, scarcely a nominal distinction between the orders and the blockades. One of those illegitimate blockades, bearing date in May, 1806, having been expressly avowed to be still unrescinded, and to be, in effect, comprehended in the orders in council, was too distinctly brought within the purview of the act of Congress not to be comprehended in the explanation of the requisites to a compliance with it. The British government was accordingly apprized by our minister near it that such was the light in which the subject was to be regarded.

On the other important subjects depending between the United States and that government, no progress has been made from which an early and satisfactory result can be relied on.

In this new posture of our relations with those powers, the consideration of Congress will be properly turned to a removal of doubts which may occur in the exposition, and of difficulties in the execution, of the act above cited.

The commerce of the United States with the north of Europe, heretofore much vexed by licentious cruisers, particularly under the Danish flag, has latterly been visited with fresh and extensive depredations. The measures pursued in behalf of our injured citizens, not having obtained justice for them, a further and more formal interposition with the Danish government is contemplated. The principles which have been maintained by that government in relation to neutral commerce, and the friendly professions of his Danish majesty towards the United States, are valuable pledges in favor of a successful issue.

Among the events growing out of the state of the Spanish monarchy, our attention was imperiously attracted to the change developing itself in that portion of West Florida which, though of right appertaining to the United States, had remained in the possession of Spain, awaiting the result of negotiations for its actual delivery to them. The Spanish authority was subverted, and a situation produced exposing the country to ulterior events which might essentially affect the rights and welfare of the Union. In such a conjuncture I did not delay the interposition required for the occupancy of the territory west of the river Perdido, to which the title of the United States extends, and to which the laws provided for the territory of Orleans are applicable. With this view, the proclamation, of which a copy is laid before you, was confided to the governor of that territory, to be carried into effect. The legality and necessity of the course pursued, assure me of the favorable light in which it will present itself to the legislature, and of the promptitude with which they will supply whatever provisions may be due to the essential rights and equitable interests of the people thus brought into the bosom of the American family.

Our amity with the powers of Barbary, with the exception of a recent occurrence at Tunis, of which an explanation is just received, appears to have been uninterrupted, and to have become more firmly established.

With the Indian tribes, also, the peace and friendship of the United States are found to be so eligible that the general disposition to preserve both continues to gain strength.

I feel particular satisfaction in remarking that an interior view of our country presents us with grateful proofs of its substantial and increasing prosperity. To a thriv-

ing agriculture, and the improvements related to it, is added a highly interesting extension of useful manufactures, the combined product of professional occupations and of household industry. Such, indeed, is the experience of economy, as well as of policy, in these substitutes for supplies, heretofore obtained by foreign commerce, that, in a national view, the change is justly regarded as, of itself, more than a recompense for those privations and losses, resulting from foreign injustice, which furnished the general impulse required for its accomplishment. How far it may be expedient to guard the infancy of this improvement in the distribution of labor by regulations of the commercial tariff, is a subject which cannot fail to suggest itself to your patriotic reflections.

It will rest with the consideration of Congress, also, whether a provident, as well as fair encouragement, would not be given to our navigation by such regulations as would place it on a level of competition with foreign vessels, particularly in transporting the important and bulky productions of our own soil. The failure of equality and reciprocity in the existing regulations on this subject operates, in our ports, as a premium to foreign competitors; and the inconvenience must increase as these may be multiplied, under more favorable circumstances, by the more than countervailing encouragements now given them by the laws of their respective countries.

Whilst it is universally admitted that a well instructed people alone can be permanently a free people, and whilst it is evident that the means of diffusing and improving useful knowledge form so small a proportion of the expenditures for national purposes, I cannot presume it to be unseasonable to invite your attention to the advantages of superadding to the means of education, provided by the several states, a seminary of learning, instituted by the national legislature, within the limits of their exclusive jurisdiction, the expense of which might be defrayed or reimbursed out of the vacant grounds which have accrued to the nation within those limits.

Such an institution, though local in its legal character, would be universal in its beneficial effects. By enlightening the opinions, by expanding the patriotism, and by assimilating the principles, the sentiments, and the manners, of those who might resort to this temple of science, to be re-distributed, in due time, through every part of the community, sources of jealousy and prejudice would be diminished, the features of national character would be multiplied, and greater extent given to social harmony. But, above all, a well constituted seminary, in the centre of the nation, is recommended by the consideration that the additional instruction emanating from it would contribute not less to strengthen the foundations than to adorn the structure of our free and happy system of government.

Among the commercial abuses still committed under the American flag, and leaving in force my former reference to that subject, it appears that American citizens are instrumental in carrying on a traffic in enslaved Africans, equally in violation of the laws of humanity, and in defiance of those of their own country. The same just and benevolent motives which produced the interdiction in force against this criminal conduct, will doubtless be felt by Congress in devising further means of suppressing the evil.

In the midst of uncertainties necessarily connected with the great interests of the United States, prudence requires a continuance of our defensive and precautionary arrangement. The Secretary of War and Secretary of the Navy will submit the statements and estimates which may aid Congress in their ensuing provisions for the land and naval forces. The statements of the latter will include a view of the transfers of appropriations in the naval expenditures, and the grounds on which they were made.

The fortifications for the defence of our maritime frontier have been prosecuted according to the plan laid down in 1808. The works, with some exceptions, are completed, and furnished with ordnance. Those for the security of the city of New York, though far advanced towards completion, will require a further time and appropriation. This is the case with a few others, either not completed, or in need of repairs.

The improvements, in quality and quantity, made in the manufacture of cannon and of small arms, both at the public armories and private factories, warrant additional confidence in the competency of these resources for supplying the public exigencies.

These preparations for arming the militia having thus far provided for one of the objects contemplated by the power vested in Congress with respect to that great bulwark of the public safety, it is for their consideration whether further provisions are not requisite for the other contemplated objects of organization and discipline. To give to this great mass of physical and moral force the efficiency which it merits and is capable of receiving, it is indispensable that they should be instructed and practised in the rules by which they are to be governed. Towards an accomplishment of this important work, I recommend for the consideration of Congress the expediency of instituting a system which shall, in the first instance, call into the field, at the public

expense, and for a given time, certain portions of the commissioned and non-commissioned officers. The instruction and discipline thus acquired would gradually diffuse through the entire body of the militia that practical knowledge and promptitude for active service which are the great ends to be pursued. Experience has left no doubt, either of the necessity or of the efficacy of competent military skill in those portions of an army, in fitting it for the final duties which it may have to perform.

The corps of engineers, with the military academy, are entitled to the early attention of Congress. The buildings at the seat fixed by law for the present academy are so far in decay as not to afford the necessary accommodation. But a revision of the law is recommended principally with a view to a more enlarged cultivation and diffusion of the advantages of such institutions, by providing professorships for all the necessary branches of military instruction, and by the establishment of an additional academy at the seat of government or elsewhere. The means by which war, as well for defence as for offence, are now carried on, render these schools of the more scientific operations an indispensable part of every adequate system. Even among nations whose large standing armies and frequent wars afford every other opportunity of instruction, these establishments are found to be indispensable for the due attainment of the branches of military science which require a regular course of study and experiment. In a government happily without the other opportunities, seminaries, where the elementary principles of the art of war can be taught without actual war, and without the expense of extensive and standing armies, have the precious advantage of uniting an essential preparation against external danger, with a scrupulous regard to internal safety. In no other way, probably, can a provision of equal efficacy for the public defence be made at so little expense, or more consistently with the public liberty.

The receipts into the Treasury during the year ending on the 30th of September last, (and amounting to more than eight millions and a half of dollars) have exceeded the current expenses of the government, including the interest on the public debt. For the purpose of reimbursing, at the end of the year, three millions seven hundred and fifty thousand dollars of the principal, a loan, as authorized by law, had been negotiated to that amount; but has since been reduced to two millions seven hundred and fifty thousand dollars; the reduction being permitted by the state of the Treasury, in which there will be a balance remaining at the end of the year, estimated at two millions of dollars. For the probable receipts of the next year, and other details, I refer to statements which will be transmitted from the Treasury, and which will enable you to judge what further provisions may be necessary for the ensuing years.

Reserving for future occasions, in the course of the session, whatever other communications may claim your attention, I close the present, by expressing my reliance, under the blessing of Divine Providence, on the judgment and patriotism which will guide your measures, at a period particularly calling for united councils, and inflexible exertions, for the welfare of our country, and by assuring you of the fidelity and alacrity with which my co-operation will be afforded.

JAMES MADISON.

*Washington, December 5, 1810.*

The message and documents therein referred to were read.

On motion, by Mr. Campbell,

*Ordered*, That five hundred copies thereof be printed for the use of the Senate.

Agreeably to notice given, Mr. Smith, of Maryland, asked and obtained leave to bring in a bill to suspend the second section of the act, entitled "An act regulating foreign coins, and for other purposes;" and the bill was read.

*Ordered*, That it pass to the second reading.

Mr. Giles presented the petition of the President, Directors, and Company, of the Farmers' Bank of Alexandria, praying a charter of incorporation, for reasons stated at large in the petition; which was read.

*Ordered*, That it lie for consideration.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, DECEMBER 6, 1810.

The Senate assembled, and the number of Senators present not being sufficient to constitute a quorum,

On motion,

Adjourned to 11 o'clock to-morrow morning.

FRIDAY, DECEMBER 7, 1810.

The Honorable Joseph Anderson, from the state of Tennessee, attended.

The bill to suspend the second section of the act, entitled "An act regulating foreign coins, and for other purposes;" was read the second time.

On motion, by Mr. Smith, of Maryland,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Smith, of Maryland, Crawford, and Dana, be the committee.

The Senate resumed the motion made on the 4th instant, for the appointment of chaplains; and,

On motion, by Mr. Crawford,

*Ordered*, That the further consideration thereof be postponed until Monday next.

On motion, by Mr. Giles,

*Resolved*, That so much of the message of the President of the United States as concerns the relations between the United States and France and Great Britain, with the accompanying documents, be referred to a select committee to examine and report thereon to the Senate, and that the committee have leave to report by bill, bills, or otherwise.

*Ordered*, That Messrs. Giles, Crawford, Anderson, Goodrich, and Pope, be the committee.

The following motion was submitted by Mr. Giles, for consideration:

*Resolved*, That so much of the message of the President of the United States, as relates to the occupation of that part of West Florida, which is included within the boundaries described by the treaty for the acquisition of Louisiana, with the accompanying documents, be referred to a select committee, with instructions to examine the same, and report thereon to the Senate; and that the committee have leave to report by bill, bills, or otherwise.

*Ordered*, That it lie until Monday next.

On motion, by Mr. Smith, of Maryland,

*Resolved*, That so much of the message of the President of the United States, as relates to the corps of engineers and the military academy, be referred to a select committee, to report by bill, bills, or otherwise.

*Ordered*, That Messrs. Smith, of Maryland, Gilman, Bradley, Pickering, and Reed, be the committee.

On motion, by Mr. Giles,

*Resolved*, That the petition of the President, Directors, and Company of the Farmers' Bank of Alexandria, praying a charter of incorporation, presented on the 5th instant, be referred to a select committee, to consist of five members, to consider and report thereon by bill or otherwise.

*Ordered*, That Messrs. Giles, Leib, Goodrich, Crawford, and Cutts, be the committee.

On motion,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, DECEMBER 10, 1810.

After the consideration of the Executive business,

Mr. Leib presented the resolutions of the legislature of the state of Pennsylvania, passed 18th March last, approving the measures pursued by the administration of the United States, on our foreign relations; and the resolutions were read.

The Senate resumed the motion made the 4th instant, for the appointment of chaplains; and,

On motion, by Mr. Crawford,

To amend the motion as follows: "That a chaplain shall be appointed to Congress during the present session, who shall perform divine service on the Sabbath day in the Representatives' Hall, and shall interchange weekly;"

It passed in the negative.

So it was

*Resolved*, That two chaplains, of different denominations, be appointed to Congress during the present session, one by each House, who shall interchange weekly.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this resolution.

The Senate resumed the consideration of the motion submitted the 7th instant; and,

*Resolved*, That so much of the message of the President of the United States, as relates to the occupation of that part of West Florida, which is included within the boundaries described by the treaty for the acquisition of Louisiana, with the accom-

panying documents, be referred to a select committee, with instructions to examine the same and report thereon to the Senate; and that the committee have leave to report by bill, bills, or otherwise; and,

*Ordered*, That Messrs. Giles, Pope, Crawford, Anderson, and Bradley, be the committee.

On motion, by Mr. Campbell,

*Resolved*, That so much of the message of the President of the United States, as relates to commercial abuses committed under the American flag, in carrying on an illegal traffic in enslaved Africans, be referred to a committee to examine and report thereon to the Senate; and that the committee have leave to report by bill or otherwise; and,

*Ordered*, That Messrs. Campbell, Dana, Bradley, Cutts, and Gilman, be the committee.

Mr. Anderson presented the petition of the President and Directors of the Bank of Potomac, praying a charter of incorporation, for reasons stated at large in the petition, which was read.

On motion, by Mr. Anderson,

*Resolved*, That it be referred to a select committee, to consist of five members, to consider and report thereon by bill or otherwise; and,

*Ordered*, That Messrs. Anderson, Gilman, Tait, Goodrich, and Leib, be the committee,

On motion, by Mr. Gilman,

*Resolved*, That a committee be appointed agreeably to the 22d rule for conducting business in the Senate; and,

*Ordered*, That Messrs. Cutts, Horsey, and Gilman, be the committee.

On motion, by Mr. Leib,

*Resolved*, That a committee be appointed, agreeably to the 42d rule for conducting business in the Senate; and,

*Ordered*, That Messrs. Leib, Campbell, and Dana, be the committee.

On motion, by Mr. Leib,

*Resolved*, That a committee be appointed for enrolled bills, jointly with such committee as may be appointed for that purpose on the part of the House of Representatives; and,

*Ordered*, That Mr. Cutts be the committee on the part of the Senate.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

## TUESDAY, DECEMBER 11, 1810.

The Honorable Richard Brent, from the state of Virginia, attended.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives concur in the resolution of the Senate of the 10th instant, for the appointment of chaplains, and have appointed the Reverend Jesse Lee chaplain on their part. They also concur in the resolution of the Senate of the same date, for the appointment of a committee for enrolled bills, and have appointed a committee on their part. And he withdrew.

On motion, by Mr. Leib,

*Resolved*, That so much of the message of the President of the United States as relates to the organization and discipline of the militia, be referred to a committee, with leave to report by bill or otherwise; and,

*Ordered*, That Messrs. Leib, Reed, Smith, of Maryland, Anderson, and Gilman, be the committee.

Mr. Smith, of Maryland, from the committee to whom was referred the bill to suspend the second section of the act, entitled "An act regulating foreign coins, and for other purposes," reported it without amendment.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

## WEDNESDAY, DECEMBER 12, 1810.

The Vice President of the United States resumed the chair.

The Honorable Jesse Franklin, from the state of North Carolina, also took his seat in the Senate.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate and House of Representatives of the United States.*

I lay before Congress, and recommend to their early attention, a report of the Secretary of State, from which it will be seen that a very considerable demand beyond the legal appropriations, has been incurred for the support of seamen distressed by seizures, in different parts of Europe, of the vessels to which they belonged.

JAMES MADISON.

December 12, 1810.

The message and report were read; and,

On motion, by Mr. Franklin,

*Resolved*, That they be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Franklin, Crawford, and Goodrich, be the committee.

The President laid before the Senate the report of the Secretary of the Treasury, prepared in obedience to the act, entitled "An act to establish the Treasury Department," which, together with the accompanying documents, were read.

*Ordered*, That they lie for consideration.

Mr. Cutts, from the committee, reported the bill to suspend the second section of the act, entitled "An act regulating foreign coins, and for other purposes," correctly engrossed; and the bill was read the third time.

On motion, by Mr. Smith, of Maryland,

It was agreed, by unanimous consent, to strike out the word "for," incorrectly quoted from the original bill.

So it was

*Resolved*, That this bill pass, and that the title thereof be "An act to suspend the second section of the act, entitled 'An act regulating foreign coins, and for other purposes.'"

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Brent presented the petition of the stockholders of the Bank of Washington, praying a charter of incorporation, for reasons stated at large in the petition. He also presented the memorials of sundry citizens of Washington county on the same subject; which were read.

*Ordered*, That they be referred to Messrs. Anderson, Gilman, Tait, Goodrich, and Leib, the committee to whom was referred, on the 11th instant, a petition of the President and Directors of the Bank of Potomac, to consider and report thereon by bill or otherwise.

On motion, by Mr. Bradley,

The Senate proceeded to the election of a chaplain on their part, in pursuance of the resolution of the two Houses; and, on counting of the ballots, it appeared that the Reverend Walter D. Addison had a majority, and was accordingly elected.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act to authorize the transportation of certain documents free of postage;" in which they request the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

*Ordered*, That it pass to the second reading.

After consideration of Executive business,

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, DECEMBER 13, 1810.

The Honorable Henry Clay, from the state of Kentucky, took his seat in the Senate.

The bill, entitled "An act to authorize the transportation of certain documents free of postage," was read the second time; and,

On motion, by Mr. Smith, of Maryland,

The bill was read the third time by unanimous consent.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

Mr. Leib submitted the following motion for consideration:

*Resolved*, That a committee be appointed to inquire into the expediency of directing the Secretary of the Treasury to deposit, for collection, in other banks than that of

the United States and its branches, the bonds given to the government for duties; and that the committee have leave to report by bill or otherwise.

The President communicated the report of the Secretary for the Department of Treasury, made in pursuance of the resolution of the Senate of 25th of April, 1810; and, also, a report made in pursuance of the resolution of the Senate of the 1st of May, 1810, on the subject of claims barred by the statute of limitations; together with an explanatory letter from the Register of the Treasury on the same subject; which were read.

*Ordered*, That they lie for consideration.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### FRIDAY, DECEMBER 14, 1810.

Mr. Cutts, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act to authorize the transportation of certain documents free of postage."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

The President communicated the report of the Secretary for the Department of War, made in obedience to the resolution of the Senate of April 7th, 1810, directing him to prepare a system of regulations for improving the discipline of the militia of the United States; which was read; and

On motion,

*Ordered*, That it be referred to Messrs. Leib, Reed, Smith, of Maryland, Anderson, and Gilman, the committee to whom was referred, on the 11th instant, so much of the message of the President of the United States as relates to the organization and discipline of the militia, with leave to report by bill or otherwise.

The Senate resumed the consideration of the motion made yesterday on the subject; and

*Resolved*, That a committee be appointed to inquire into the expediency of directing the Secretary of the Treasury to deposit for collection in other banks than that of the United States and its branches, the bonds given to the government for duties; and that the committee have leave to report by bill or otherwise.

*Ordered*, That Messrs. Leib, Crawford, and Goodrich, be the committee.

Mr. Giles presented the memorial of the city council of Washington, praying sundry amendments to their charter of incorporation; which was read.

On motion,

*Ordered*, That it be referred to a select committee, to consist of five members, to consider and report thereon by bill or otherwise.

*Ordered*, That Messrs. Dana, Tait, Gaillard, Horsey, and Giles, be the committee.

Mr. Cutts, from the committee, reported that they this day laid before the President of the United States the enrolled bill, entitled "An act to authorize the transportation of certain documents free of postage."

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

### MONDAY, DECEMBER 17, 1810.

The Honorable James Lloyd, from the state of Massachusetts, took his seat in the Senate.

The President communicated the report of the Secretary of the Navy on moneys transferred, during the last recess of Congress, from certain appropriations for particular branches of expenditure to other branches of expenditure in that department, and of the application of such moneys; also, his report shewing the state and disposition at this time, of the public vessels of war and gun-boats; which were read for consideration.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

## TUESDAY, DECEMBER 18, 1810.

The Honorable John Condit, from the state of New Jersey, and the Honorable John Smith, from the state of New York, severally took their seats in the Senate.

Mr. Leib presented the petition of William Davy and Son, and others, merchants and traders of Philadelphia, stating that they are owners of a large property beyond the Cape of Good Hope, and praying exemption from the provisions of the act, entitled "An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes;" under which they are apprehensive the said property may be implicated; and the petition was read; and,

On motion, by Mr. Leib,

*Ordered*, That it be referred to Messrs. Giles, Crawford, Anderson, Goodrich, and Pope, the committee to whom was referred, on the 7th instant, so much of the message of the President of the United States as concerns the relations between the United States and France and Great Britain, to consider and report thereon by bill or otherwise.

Mr. Leib presented the petition of the President and Directors of the Bank of the United States, praying a renewal of their charter, for reasons therein stated; and the petition was read; and,

On motion, by Mr. Leib,

*Resolved*, That it be referred to a select committee, to consist of five members, to consider and report thereon; and that the petition be printed for the use of the Senate.

*Ordered*, That Messrs. Crawford, Leib, Lloyd, Pope, and Anderson, be the committee.

Mr. Giles, from the committee to whom was referred, on the 8th instant, so much of the message of the President of the United States as relates to the occupation of that part of West Florida which is included within the boundaries described by the treaty for the acquisition of Louisiana, reported a bill declaring the laws now in force in the territory of Orleans, to extend to and to have full force and effect to the river Perdido, pursuant to the treaty concluded at Paris on the 30th day of April, 1803, and for other purposes; and the bill was read; and

*Ordered*, That it pass to the second reading.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

## WEDNESDAY, DECEMBER 19, 1810.

The Honorable Christopher Grant Champlin, from the state of Rhode Island, took his seat in the Senate.

The bill declaring the laws now in force in the territory of Orleans, to extend to and to have full force and effect to the river Perdido, pursuant to the treaty concluded at Paris on the 30th day of April, 1803, and for other purposes, was read the second time.

Mr. Dana submitted the following motion for consideration:

*Resolved*, That a committee be appointed to inquire into the expedience of authorizing such surveys and examinations to be made respecting the lakes or waters along the northern confines of the United States, as may conduce to the safety and convenience of communication thereon; and that the committee have leave to report by bill or otherwise.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

## THURSDAY, DECEMBER 20, 1810.

The Senate resumed the consideration of the motion made yesterday on the subject; and

*Resolved*, That a committee be appointed to inquire into the expedience of authorizing such surveys and examinations to be made respecting the lakes or waters along the northern confines of the United States, as may conduce to the safety and convenience of communication thereon; and that the committee have leave to report by bill or otherwise.

*Ordered*, That Messrs. Dana, Robinson, Bradley, Condit, and Franklin, be the committee.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act to fix the compensation of the additional assistant postmaster general," in which they request the concurrence of the Senate. And he withdrew.

The bill last brought up for concurrence was read.

*Ordered*, That it pass to the second reading.





*Ordered*, That it pass to the second reading.

Mr. Anderson, from the same committee, also reported a bill to incorporate the Bank of Washington; which was read.

*Ordered*, That it pass to the second reading.

The bill, entitled "An act for the relief of George Armroyd and Company," was read the second time.

On motion, by Mr. Leib,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Leib, Bradley, and Lloyd, be the committee.

On motion, by Mr. Smith, of Maryland,

The bill, entitled "An act making an additional appropriation for the relief and protection of distressed American seamen during the year one thousand eight hundred and ten," was read the second time by unanimous consent; and,

*Ordered*, That it be referred to the committee to whom was referred, on the 12th instant, the message of the President of the United States of that date, on the same subject, to consider and report thereon.

The Senate resumed, as in committee of the whole, the bill for the relief of the collectors of the ports of Norfolk, Baltimore, and Philadelphia; and,

On motion, by Mr. Smith, of Maryland,

*Ordered*, That the further consideration of the bill be postponed until the first Monday in January next.

Mr. Pope gave notice, that to-morrow he should ask leave to bring in a bill authorizing a subscription on the part of the United States to the stock of the Ohio Canal Company.

On motion,

The Senate adjourned to 11 o'clock on Wednesday morning.

### WEDNESDAY, DECEMBER 26, 1810.

The Senate assembled; and,

On motion,

Adjourned to 11 o'clock to-morrow morning.

### THURSDAY, DECEMBER 27, 1810.

The Honorable Jenkin Whiteside, from the state of Tennessee, took his seat in the Senate.

Mr. Leib, from the committee, appointed on the 7th instant, to consider the subject, reported a bill to incorporate the subscribers to the Farmers' Bank of Alexandria; and the bill was read.

*Ordered*, That it pass to the second reading.

The President laid before the Senate the report of the Secretary of the Treasury, prepared in obedience to the directions of the act, entitled "An act regulating the currency of foreign coins, in the United States," passed April 10, 1806; and the report was read.

*Ordered*, That it lie for consideration.

Mr. Leib gave notice that to-morrow he should ask leave to bring in a bill for the establishment of a quartermaster's department.

The bill, entitled "An act to continue in force, for a further time, the first section of the act, entitled 'An act further to protect the commerce and seamen of the United States against the Barbary powers,'" was read the second time.

The bill to incorporate the Bank of Washington was read the second time.

Mr. Smith, of Maryland, presented the memorial of Thomas Corcoran and others, citizens of Georgetown, in the District of Columbia, stating that they had commenced certain improvements in the channel of the river Potomac, near that town, but that they were impeded in their progress by a legal injunction, on suggestion that they might do injury to the bridge lately erected over the afore-mentioned river. And that the petitioners are constrained to lay their case before Congress, and to ask their interposition and relief. And the petition was read.

On motion, by Mr. Smith, of Maryland,

*Resolved*, That it be referred to a select committee, to consist of five members, to consider and report thereon, by bill or otherwise.

*Ordered*, That Messrs. Smith, of Maryland, Franklin, Champlin, Gaillard, and Bradley, be the committee.

Mr. Horsey gave notice that to-morrow he should ask leave to bring in a bill auth-

rizing the sale and grant of a certain quantity of public land to the Chesapeake and Delaware Canal Company.

The Senate resumed, as in committee of the whole, the bill declaring the laws now in force in the territory of Orleans, to extend to, and to have full force and effect to the river Perdido, pursuant to the treaty concluded at Paris, on the 30th day of April, 1803, and for other purposes.

On motion, by Mr. Tait,

That the further consideration of the bill be postponed until Monday next, and be then made the order of the day:

It passed in the negative; and the bill having been read by paragraphs,

The President reported it to the House without amendment.

On motion, by Mr. Pickering,

That the further consideration thereof be postponed until Monday next,

It was determined in the negative; and,

On motion, by Mr. Pickering,

It was agreed, that the further consideration of the bill be postponed until to-morrow.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives have passed a bill, entitled "An act to authorize the Secretary of War to ascertain and settle, by the appointment of commissioners, the exterior line of the public land at West Point, with the adjoining proprietor;" in which bill they desire the concurrence of the Senate. And he withdrew.

The bill last brought up for concurrence was read.

*Ordered,* That it pass to the second reading.

Mr. Anderson presented the petition of David Porter, stating that he commanded the flotilla stationed at New Orleans, during the existence of the laws prohibiting intercourse with France, and that he there seized, and prosecuted at his own expense, to condemnation, three vessels, the proceeds of which were distributed under the revenue laws, but that his proportion thereof did not amount to the cost of prosecution. He therefore prays Congress to relinquish to him their proportion of the penalties and forfeitures which may have been incurred by said seizures, as a recompence for his services; and the petition was read; and,

On motion, by Mr. Anderson,

*Resolved,* That it be referred to a select committee, to consider and report thereon, by bill or otherwise.

*Ordered,* That Messrs. Anderson, Campbell, and Clay, be the committee.

Pursuant to notice, Mr. Pope asked and obtained leave to bring in a bill authorizing a subscription on the part of the United States to the stock of the Ohio Canal Company; and the bill was read.

*Ordered,* That it pass to the second reading.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

## FRIDAY, DECEMBER 28, 1810.

Pursuant to notice given, Mr. Leib asked and obtained leave to bring in a bill for the establishment of a quartermaster's department; and the bill was read.

*Ordered,* That it pass to the second reading.

Pursuant to notice given, Mr. Horsey asked and obtained leave to bring in a bill authorizing the sale and grant of a certain quantity of public land to the Chesapeake and Delaware Canal Company; and the bill was read.

*Ordered,* That it pass to the second reading.

Mr. Smith, of New York, presented the memorial of David Phillips and others, brass founders, of the city of New York, praying the removal of the duty on the importation of zinc or spelter, for reasons therein stated; and the memorial was read.

*Ordered,* That it lie for consideration.

The bill, entitled "An act to authorize the Secretary of War to ascertain and settle, by the appointment of commissioners, the exterior line of the public land at West Point, with the adjoining proprietor," was read the second time.

The bill to incorporate the Bank of Potomac was read the second time.

Mr. Brent presented the petition of the President and Directors of the Bank of Alexandria, praying the renewal of their charter of incorporation, for reasons stated at large in the petition, which was read; and,

On motion, by Mr. Brent,

*Resolved,* That it be referred to a select committee, to consider and report thereon by bill or otherwise.

*Ordered*, That Messrs. Brent, Champlin, and Robinson, be the committee.

Mr. Dana gave notice that on Monday he should ask leave to bring in a bill for the benefit of seamen of the United States.

The Senate resumed, as in committee of the whole, the bill declaring the laws now in force in the territory of Orleans, to extend to, and to have full force and effect to the river Perdido, pursuant to the treaty concluded at Paris, on the 30th day of April, 1803, and for other purposes; and, after debate,

On motion,

The Senate adjourned to 11 o'clock on Monday morning.

**MONDAY, DECEMBER 31, 1810.**

The Honorable John Taylor, appointed a Senator by the legislature of the state of South Carolina, in place of the Honorable Thomas Sumter, resigned, produced his credentials, which were read; and, the oath prescribed by law having been administered to him, he took his seat in the Senate.

Mr. Franklin, from the committee to whom was referred the bill, entitled "An act making an additional appropriation to supply the deficiency in the appropriation for the relief and protection of distressed American seamen during the year 1810, reported it without amendment.

Mr. Bradley, from the committee to whom was referred the bill, entitled "An act to fix the compensation of the additional Assistant Postmaster General," reported the bill with an amendment; which was read.

The bill to incorporate the subscribers to the Farmers' Bank of Alexandria was read the second time.

The bill authorizing a subscription on the part of the United States to the stock of the Ohio Canal Company was read the second time.

The bill for the establishment of a quartermaster's department was read the second time.

On motion, by Mr. Leib,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Leib, Franklin, and Pickering, be the committee.

On motion, by Mr. Leib,

On behalf of the committee to whom was referred the report of the Secretary for the Department of War, on the subject of improving the discipline of the militia of the United States,

*Ordered*, That they cause to be printed such parts thereof as they may deem proper, for the use of the Senate.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands in the territories of Orleans and Louisiana;" in which they desire the concurrence of the Senate. And he withdrew.

The Senate resumed, as in committee of the whole, the bill declaring the laws now in force in the territory of Orleans to extend to, and to have full force and effect to the river Perdido, pursuant to the treaty concluded at Paris on the 30th day of April, 1803, and for other purposes; and,

On motion, by Mr. Smith, of Maryland,

The galleries were cleared and the doors of the Senate chamber closed; and, after agreeing,

On motion, by Mr. Anderson,

That the further consideration of the bill last mentioned be postponed,

The doors of the Senate chamber were opened; and

Mr. Clay submitted the following motion for consideration:

*Resolved*, That the public perusal in the Senate of certain papers, with open galleries, by the gentleman from Massachusetts, Mr. Pickering, in his seat, without a special order of the Senate removing the injunction of secrecy, which papers had been confidentially communicated to the Senate by the President of the United States, was a palpable violation of the rules of this body.

On motion,

The Senate adjourned to 11 o'clock on Wednesday morning.

**WEDNESDAY, JANUARY 2, 1811.**

The Honorable Andrew Gregg, from the state of Pennsylvania, took his seat in the Senate.

The President laid before the Senate the report of the Secretary of the Treasury, made in conformity with the acts of March 26, 1804, and March 3d, 1805, of rejected claims made by the commissioners appointed for the purpose of examining the claims of persons claiming lands in the district of Kaskaskia; and the report was read.

*Ordered*, That it lie for consideration.

On motion, by Mr. Lloyd,

It was agreed to suspend the order of the day for the purpose of considering the bill, entitled "An act making an additional appropriation to supply the deficiency in the appropriation for the relief and protection of distressed American seamen during the year 1810;" and the bill was read and considered as in committee of the whole; and

*Ordered*, That it pass to the third reading.

Agreeably to notice given, Mr. Dana asked and obtained leave to bring in a bill for the benefit of seamen of the United States; which was read.

*Ordered*, That it pass to the second reading.

Mr. Clay called up the motion made the 31st December, on the subject of order; and,

On his motion,

It was agreed that the original motion be amended as follows:

*Resolved*, That Timothy Pickering, a Senator from the state of Massachusetts, having, on this day, whilst the Senate was in session with open doors, read from his place certain documents confidentially communicated by the President of the United States to the Senate, the injunction of secrecy not having been removed, has, in so doing, committed a palpable violation of the rules of this body.

On motion, by Mr. Lloyd,

That the further consideration thereof be postponed:

It was determined in the negative.

On motion, by Mr. Crawford,

It was agreed further to amend the motion, by expunging the word "palpable."

On the question, to agree to the motion as amended:

It was determined in the affirmative, { Yea . . . . . 20,  
{ Nays . . . . . 7.

On motion, by Mr. Clay,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Brent, Campbell, Clay, Condit, Crawford, Cutts, Franklin, Gail-  
lard, German, Gilman, Leib, Mathewson, Reed, Robinson, Smith, of Maryland, Smith,  
of New York, Tait, Taylor, and Whiteside.

Those who voted in the negative, are,

Messrs. Bradley, Champlin, Dana, Goodrich, Horsey, Lambert, and Lloyd.

The President communicated the report of the Secretary for the Department of War, made in obedience to the first section of the act "further to amend the several acts for the establishment of the Treasury, War, and Navy Departments," passed the 3d day of March, 1809, which was read; and

*Ordered*, That it lie for consideration.

The bill brought up from the House of Representatives for concurrence, entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands in the territories of Orleans and Louisiana," was read.

*Ordered*, That it pass to the second reading.

The bill authorizing the sale and grant of a certain quantity of public land to the Chesapeake and Delaware Canal Company, was read the second time; and,

On motion, by Mr. Lloyd,

The order of the day was postponed until to-morrow.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

## THURSDAY, JANUARY 3, 1811.

Mr. Campbell gave notice that to-morrow he should ask leave to bring in a bill to authorize the surveying and making of certain roads in the state of Ohio, as contemplated by the treaty of Brownstown, in the territory of Michigan.

The bill, entitled "An act making an additional appropriation to supply the deficiency in the appropriation for the relief and protection of distressed American seamen during the year 1810," was read the third time.

On motion, by Mr. Lloyd,

It was agreed, by unanimous consent, to amend the bill, so as to make the appropriation "seventy-six thousand dollars."

Mr. Cutts, from the committee, reported the amendment to the last mentioned bill correctly engrossed.

*Resolved*, That this bill pass with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion, by Mr. Pope,

*Resolved*, That the bill authorizing a subscription on the part of the United States to the stock of the Ohio Canal Company be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Pope, Anderson, and Bradley, be the committee.

The bill, entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands in the territories of Orleans and Louisiana," was read the second time.

On motion, by Mr. Campbell,

*Resolved*, That it be referred to a select committee, to consist of five members, to consider and report thereon.

*Ordered*, That Messrs. Campbell, Crawford, Gregg, Bradley, and Dana, be the committee.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act to suspend the second section of the act, entitled 'An act regulating foreign coins, and for other purposes,'" with amendments, in which they desire the concurrence of the Senate. They have also passed a bill, entitled "An act providing for the removal of the land office established at Nashville, in the state of Tennessee, and Canton, in the state of Ohio, and to authorize the register and receiver of public moneys to superintend the public sales of land in the district east of Pearl river;" in which bill they desire the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

*Ordered*, That it pass to the second reading.

The amendments of the House of Representatives to the bill, entitled "An act to suspend the second section of the act, entitled 'An act regulating foreign coins, and for other purposes,'" were read.

On motion, by Mr. Bradley,

*Ordered*, That the further consideration thereof be postponed, and that they be printed for the use of the Senate.

The Senate resumed, as in committee of the whole, the bill, entitled "An act to fix the compensation of the additional assistant Postmaster General," together with the amendment reported by the select committee; and, having agreed thereto, the President reported the bill to the House amended accordingly.

On the question, Shall this bill be read the third time as amended?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the bill, entitled "An act to continue in force for a further time the first section of the act, entitled 'An act further to protect the commerce and seamen of the United States against the Barbary powers,'" and

*Ordered*, That it pass to the third reading.

The Senate resumed, as in committee of the whole, the bill, entitled "An act to authorize the Secretary of War to ascertain and settle, by the appointment of commissioners, the exterior line of the public land at West Point with the adjoining proprietor;" and

On motion, by Mr. Smith, of New York,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Smith, of New York, Bradley, and Dana, be the committee.

Pursuant to the order of the day, the Senate resumed, as in committee of the whole, the bill declaring the laws now in force in the territory of Orleans, to extend to, and to have full force and effect to, the river Perdido, pursuant to the treaty concluded at Paris, on the 30th day of April, 1803, and for other purposes; and,

On motion, by Mr. Franklin,

The galleries were cleared and the doors of the Senate chamber closed.

A confidential message was received from the President of the United States, by Mr. Coles, his Secretary, which is inserted on the confidential journal.

The doors of the Senate chamber were opened.

On motion, by Mr. Bradley,

*Ordered*, That the further consideration of the bill last mentioned be postponed until to-morrow.

After the consideration of the Executive business,  
The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, JANUARY 4, 1811.

Agreeably to notice, Mr. Campbell asked and obtained leave to bring in a bill to authorize the surveying and making of certain roads in the state of Ohio, as contemplated in the treaty of Brownstown, in the territory of Michigan; and the bill was read and passed to the second reading.

Mr. Cutts, from the committee, reported the amendment to the bill, entitled "An act to fix the compensation of the additional Assistant Postmaster General," correctly engrossed; and the bill was read the third time as amended.

*Resolved*, That this bill pass with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

The President communicated a report of the Secretary of War on the sale of public arms to individual states, as authorized by the act of the second of April, 1808, entitled "An act authorizing the sale of public arms;" which was read.

*Ordered*, That it lie for consideration.

Mr. Leib presented the memorial of John Bioren, W. John Duane, and R. C. Weightman, submitting a proposal for printing the laws of the United States, upon conditions therein stated; and the memorial was read.

On motion, by Mr. Leib,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Leib, Goodrich, and Horsey, be the committee.

Mr. Leib submitted the following motion for consideration:

*Resolved*, That a committee of three members of the Senate be appointed, who, with three members of the House of Representatives, to be appointed by the said House, shall have the application of the money appropriated by the "Act making a further appropriation for the support of a library," passed the 21st of February, 1806; and that the Secretary give information thereof to the House of Representatives.

The bill, entitled "An act to continue in force, for a further time, the first section of the act, entitled 'An act further to protect the commerce and seamen of the United States against the Barbary powers,'" was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The bill, entitled "An act for the removal of the land office established at Nashville, in the state of Tennessee, and Canton, in the state of Ohio, and to authorize the register and receiver of public moneys to superintend the public sales of land in the district east of Pearl river," was read the second time.

The bill for the benefit of seamen of the United States was read the second time.

On motion, by Mr. Lloyd,

*Ordered*, That the further consideration thereof be postponed until Tuesday next.

On motion, by Mr. Horsey,

*Resolved*, That the bill authorizing the sale and grant of a certain quantity of public land to the Chesapeake and Delaware Canal Company be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Horsey, Franklin, and Condit, be the committee.

The Senate adjourned to 11 o'clock on Monday morning; to which time the several orders of the day were postponed.

MONDAY, JANUARY 7, 1811.

The Honorable James A. Bayard, from the state of Delaware, took his seat in the Senate.

The President communicated the report of the Secretary of War on the expenditures of the moneys appropriated for the contingent expenses of the military establishment for the year 1810, in conformity to the fifth section of the act of third March, 1809, further to amend the several acts for the establishment of the Treasury, War, and Navy Departments; which was read for consideration.

The Senate resumed the motion made the 4th instant, on the subject; and

*Resolved*, That a committee of three members of the Senate be appointed, who, with three members of the House of Representatives, to be appointed by the said House, shall have the application of the money appropriated by the "Act making a further appropriation for the support of a library," passed the 21st of February, 1806; and that the Secretary give information thereof to the House of Representatives; and

*Ordered*, That Messrs. Leib, Smith, of Maryland, and Condit, be the committee on the part of the Senate.

The bill to authorize the surveying and making of certain roads in the state of Ohio, as contemplated by the treaty of Brownstown, in the territory of Michigan, was read the second time.

On motion, by Mr. Campbell,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Campbell, Bradley, and Gregg, be the committee.

Mr. Dana presented the petition of William Mills, a debtor in confinement at the suit of the United States in the jail of Haddam, in the state of Connecticut, praying the interposition of Congress on his behalf, for reasons therein mentioned; and the petition was read.

On motion,

The bill to incorporate the Bank of Potomac, and the bill to incorporate the Bank of Washington; also, the bill to incorporate the subscribers to the Farmers' Bank of Alexandria, were severally postponed.

The Senate resumed, as in committee of the whole, the bill, entitled "An act providing for the removal of the land office established at Nashville, in the state of Tennessee, and Canton, in the state of Ohio; and to authorize the register and receiver of public moneys to superintend the public sales of land in the district east of Pearl river;" and,

On motion, by Mr. Campbell,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Campbell, Franklin, and Bayard, be the committee.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives agree to the amendment of the Senate to the bill, entitled "An act making an additional appropriation to supply the deficiency in the appropriation for the relief and protection of distressed American seamen during the year 1810;" and disagree to the amendment to the bill, entitled "An act to fix the compensation of the additional Assistant Postmaster General." The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

Mr. Cutts, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act making an additional appropriation to supply the deficiency in the appropriation for the relief and protection of distressed American seamen during the year 1810;" also, the bill, entitled "An act to continue in force, for a further time, the first section of the act, entitled 'An act further to protect the commerce and seamen of the United States against the Barbary powers.'"

The President signed the two enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The Senate proceeded to consider the amendment disagreed to by the House of Representatives to the bill, entitled "An act to fix the compensation of the additional Assistant Postmaster General."

On motion,

*Resolved*, That the Senate recede from their amendment to the said bill.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The Senate resumed the consideration of the amendments of the House of Representatives to the bill, entitled "An act to suspend the second section of the act, entitled 'An act regulating foreign coins, and for other purposes;'" and,

On motion, by Mr. Lloyd,

*Resolved*, That they be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Lloyd, Bradley, and Smith, of Maryland, be the committee.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate and House of Representatives of the United States:*

I communicate, for the information of Congress, the report of the Director of the Mint, of the operation of that establishment during the last year.

JAMES MADISON.

January 7, 1811.

The message and report were read.

*Ordered*, That they lie for consideration.

Agreeably to the order of the day, the Senate resumed the consideration of the bill for the relief of the collectors of the ports of Norfolk, Baltimore, and Philadelphia.

On motion, by Mr. Leib,

*Ordered*, That the consideration thereof be further postponed.

On motion, by Mr. Clay,

The galleries were cleared, and the doors of the Senate chamber closed.

After the consideration of the Executive and confidential business,

The Senate adjourned to 11 o'clock to-morrow morning.

**TUESDAY, JANUARY 8, 1811.**

The Honorable Thomas Worthington, appointed a Senator by the legislature of the state of Ohio, in place of the Honorable Return Jonathan Meigs resigned, produced his credentials, which were read; and the oath prescribed by law having been administered to him, he took his seat in the Senate.

Mr. Horsey, from the committee to whom was referred the bill authorizing the sale and grant of a certain quantity of public land to the Chesapeake and Delaware Canal Company, reported it without amendment.

Mr. Gregg presented the petition of Isaac Wayne, son and executor of the late Major General Anthony Wayne, praying remission of certain sums found against the estate of his father on settlement of his account with the Treasury officers, for reasons therein stated; and the petition was read; and,

On motion, by Mr. Gregg,

*Resolved*, That it be referred to a select committee, to consider and report thereon by bill or otherwise.

*Ordered*, That Messrs. Gregg, Pickering, and Reed, be the committee.

Mr. Smith, of New York, presented the memorial of the President and Directors of the Bank of New York, praying a renewal of the charter of the Bank of the United States, for reasons therein stated; and the memorial was read; and,

On his motion,

*Ordered*, That it be referred to the committee appointed on the 18th December, to consider the petition of the President and Directors of the Bank of the United States, on the same subject.

The President communicated a letter signed Adam Seybert, in behalf of the committee appointed by the House of Representatives to provide for the safe keeping of the books in the library belonging to Congress, stating that they are in great danger of being ruined in consequence of leaks in the roof of the building, and asking permission to place them for a time in one of the committee rooms belonging to the Senate; and the letter was read.

On motion, by Mr. Clay,

*Resolved*, That the Senate comply with the request contained therein, and assign their largest committee room for the purpose.

Mr. Smith, of Maryland, from the committee appointed on the 9th December, on the subject, reported a bill making further provision for the corps of engineers; which was read.

*Ordered*, That it pass to the second reading.

Mr. Lloyd presented the petition of Nathaniel F. Fosdick, late collector of the district of Portland and Falmouth, now in confinement at the suit of the United States in Portland, in the district of Maine, and praying the interposition of Congress on his behalf, for reasons therein stated; and the petition was read.

On motion, by Mr. Lloyd,

*Resolved*, That it be referred to a select committee, to consider and report thereon by bill or otherwise.

*Ordered*, That Messrs. Lloyd, Bradley, and Cutts, be the committee.

On motion, by Mr. Clay,

The galleries were cleared, and the doors of the Senate chamber closed; and,

After the consideration of the confidential business, and the further postponement of the several orders of the day,

The Senate adjourned to 11 o'clock to-morrow morning.

**WEDNESDAY, JANUARY 9, 1811.**

Mr. Lloyd presented the petition of Ebenezer Rollins, of Boston, in the state of Massachusetts, praying the interposition of Congress on his behalf in relation to debentures on a parcel of coffee by him exported on board the ship Rebecca Coffin to Gothenburgh, withheld by the collector of the port of Boston, owing to informalities, arising from causes beyond his control, as is stated in the petition; which was read.

On motion, by Mr. Lloyd,

*Ordered*, That it be referred to the committee to whom was referred, on the 24th of December, the bill, entitled "An act for the relief of George Armroyd and Co." to consider and report thereon.

The President communicated the report of the Secretary of the Navy on the expenditures and application of the moneys drawn from the Treasury from the 1st of October, 1809, to the 30th of September, 1810, inclusive, made in obedience to the first section of the act passed the 3d of March, 1809, entitled "An act further to amend the several acts for the establishment and regulation of the Treasury, War, and Navy Departments;" and the report was read for consideration.

On motion, by Mr. Clay,

The galleries were cleared, and the doors of the Senate chamber closed.

After the consideration of the Executive and confidential business, and the further postponement of the several orders of the day,

The Senate adjourned to 11 o'clock to-morrow morning.

### THURSDAY, JANUARY 10, 1811.

The bill making further provision for the corps of engineers was read the second time.

On motion, by Mr. Pope,

The galleries were cleared, and the doors of the Senate chamber closed; and,

After the consideration of the Executive and confidential business,

The doors of the Senate chamber were opened.

Mr. Cutts, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act to fix the compensation of the additional Assistant Postmaster General."

Mr. Gregg, from the committee to whom was referred the petition of Isaac Wayne, son and executor of the late Major General Anthony Wayne, made report; which was read.

*Ordered*, That the report, together with the petition, be printed for the use of the Senate.

Mr. Gregg also further reported a bill for the relief of the heirs of the late Major General Anthony Wayne; and the bill was read.

*Ordered*, That it pass to the second reading.

Mr. Smith, of New York, presented the memorial of a number of citizens of the United States residing in the city of New York, signed, in their behalf, M. Clarkson, chairman, and praying an extension of the charter of the Bank of the United States, for reasons therein stated; and the memorial was read; and,

On motion, by Mr. Smith, of New York,

*Ordered*, That it be referred to the committee appointed on the 18th of December to consider the petition of the President and Directors of the Bank of the United States on the same subject.

The Senate resumed, as in committee of the whole, the bill to incorporate the Bank of Washington; and,

On motion, by Mr. Anderson,

*Ordered*, That the further consideration thereof be postponed until to-morrow.

The Senate resumed, as in committee of the whole, the bill authorizing the sale and grant of a certain quantity of public land to the Chesapeake and Delaware Canal Company; and, after progress,

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### FRIDAY, JANUARY 11, 1811.

The Senate resumed the bill authorizing the sale and grant of a certain quantity of public land to the Chesapeake and Delaware Canal Company.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the bill for the benefit of seamen of the United States; and,

On motion, by Mr. Dana,

*Resolved*, That it be referred to a select committee, to consist of five members, to consider and report thereon.

*Ordered*, That Messrs. Dana, Lloyd, Bradley, Gilman, and Smith, of Maryland, be the committee.

Mr. Campbell, from the committee to whom was referred the bill to authorize the surveying and making of certain roads in the state of Ohio, as contemplated by the treaty of Brownstown, in the territory of Michigan, reported the bill with an amendment.

Mr. Leib, from the committee to whom was referred the bill, entitled "An act for the relief of George Armroyd and Co." reported the bill without amendment.

The Senate resumed, as in committee of the whole, the bill making further provision for the corps of engineers.

On the question, Shall this bill be engrossed and read a third time?

It passed in the affirmative.

Mr. Leib, from the committee to whom the subject was referred, on the 9th instant, asked and obtained leave to bring in a bill for the relief of Ebenezer Rollins; and the bill was read and passed to the second reading.

On motion, by Mr. Champlin,

The galleries were cleared, and the doors of the Senate chamber closed; and, having considered the confidential business, the doors were opened.

Mr. Cutts, from the committee, reported the bill authorizing the sale and grant of a certain quantity of public land to the Chesapeake and Delaware Canal Company correctly engrossed.

The bill for the relief of the heirs of the late Major General Anthony Wayne was read the second time; and

On motion, by Mr. Leib,

It was agreed that it be made the order of the day for to-morrow.

Mr. Pope, from the committee to whom was referred the bill authorizing a subscription on the part of the United States to the stock of the Ohio Canal Company, reported it without amendment.

On the question, Shall this bill be engrossed and read a third time?

It passed in the affirmative.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

## SATURDAY, JANUARY 12, 1811.

The President communicated the report of the Secretary of War, in compliance with the act of the 21st of April, 1808, of two statements comprehending contracts made by the Secretary of War and those made by the purveyor of public supplies; and the report was read.

Mr. Cutts, from the committee, reported the bill authorizing the sale and grant of a certain quantity of public land to the Chesapeake and Delaware Canal Company correctly engrossed; and the bill was read the third time.

*Resolved*, That this bill pass, and that the title thereof be "An act authorizing the sale and grant of a certain quantity of public land to the Chesapeake and Delaware Canal Company."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Cutts, from the committee, reported the bill authorizing a subscription on the part of the United States to the stock of the Ohio Canal Company correctly engrossed; and the bill was read the third time.

*Resolved*, That this bill pass, and that the title thereof be "An act authorizing a subscription on the part of the United States to the stock of the Ohio Canal Company."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Cutts, from the committee, also reported the bill making further provision for the corps of engineers correctly engrossed; and the bill was read the third time; and

On motion, by Mr. Smith, of Maryland,

The blank was filled with the words "fifteen thousand."

On motion, by Mr. Brent,

That the bill be recommitted to a select committee, to consist of five members, further to consider and report thereon:

It was determined in the affirmative, 

Y	Yeas . . . . .	16,
N	Nays . . . . .	13.

On motion, by Mr. Brent,  
 The yeas and nays having been required by one-fifth of the Senators present,  
 Those who voted in the affirmative, are,  
 Messrs. Bradley, Brent, Campbell, Clay, Condit, Crawford, Dana, Franklin, Gaillard,  
 Gregg, Pope, Reed, Tait, Taylor, Whiteside, and Worthington.

Those who voted in the negative, are,

Messrs. Champlin, Cutts, German, Gilman, Goodrich, Lambert, Leib, Lloyd, Ma-  
 thewson, Pickering, Robinson, Smith, of Maryland, and Smith, of New York.

*Ordered*, That Messrs. Smith, of Maryland, Brent, Gilman, Bradley, and Crawford,  
 be the committee.

The bill for the relief of Ebenezer Rollins was read the second time.

The Senate resumed, as in committee of the whole, the bill, entitled "An act for  
 the relief of George Armroyd and Co."

*Ordered*, That it pass to the second reading.

Agreeably to the order of the day, the Senate resumed, as in committee of the whole,  
 the bill for the relief of the heirs of the late Major General Anthony Wayne.

On the question, Shall this bill be engrossed and read a third time?

And it passed in the affirmative.

Mr. Cutts, from the committee, reported the bill last mentioned correctly engrossed.

On motion, by Mr. Gregg,

The bill was read the third time by unanimous consent.

*Resolved*, That this bill pass, and that the title thereof be "An act for the relief of  
 the heirs of the late Major General Anthony Wayne."

*Ordered*, That the Secretary request the concurrence of the House of Representa-  
 tives in this bill.

The following written message was received from the President of the United  
 States, by Mr. Coles, his Secretary:

*To the Senate and House of Representatives of the United States:*

I transmit to Congress copies of a letter from the minister plenipotentiary of the  
 United States at London to the Secretary of State, and of another from the same to  
 the British Secretary for foreign affairs.

JAMES MADISON.

January 12, 1811.

The message and communications were read.

On motion, by Mr. Smith, of Maryland,

*Ordered*, That they be printed for the use of the Senate.

On motion, by Mr. Cutts,

The galleries were cleared, and the doors of the Senate chamber closed; and,

After the consideration of the Executive and confidential business,

The Senate adjourned to 11 o'clock on Monday morning; to which time the several  
 orders of the day were postponed.

#### MONDAY, JANUARY 14, 1811.

The Honorable James Turner, from the state of North Carolina, took his seat in  
 the Senate.

The Senate resumed, as in committee of the whole, the bill to incorporate the  
 Bank of Potomac; and the President having reported it to the House amended,

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the bill to incorporate the Bank  
 of Washington; and the President having reported it to the House amended,

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the bill to incorporate the sub-  
 scribes to the Farmers' Bank of Alexandria; and the President having reported it to  
 the House amended,

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

The following written message was received from the President of the United States,  
 by Mr. Coles, his Secretary:

*To the Senate and House of Representatives of the United States:*

I transmit to Congress a report from the Surveyor of the Public Buildings, relative  
 to the progress and present state of them.

JAMES MADISON.

January 14, 1811.

The message and report were read.

*Ordered*, That they lie for consideration.

The following written message was also received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate and House of Representatives of the United States:*

I transmit to Congress an account of the contingent expenses of the government for the year one thousand eight hundred and ten.

JAMES MADISON.

January 14, 1811.

The message and report were read.

*Ordered*, That they lie for consideration.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives concur in the resolution of the Senate for the appointment of a joint committee on the arrangements for the Library, and have appointed a committee on their part. And he withdrew.

Mr. Cutts, from the committee, reported the bill to incorporate the Bank of Potomac correctly engrossed.

The President communicated the report of the Secretary of War, in compliance with the fifth section of the act to regulate and fix the compensation of clerks, passed the 21st April, 1806; which was read; and,

*Ordered*, That it lie for consideration.

On motion, by Mr. Worthington,

*Resolved*, That a committee be appointed to inquire if any, and, if any, what, further provisions or alterations are necessary for the disposition of the public lands of the United States, and that they have leave to report by bill or otherwise.

*Ordered*, That Messrs. Worthington, Pope, and Bradley, be the committee.

On motion, by Mr. Crawford,

*Resolved*, That the letter from the Secretary of the Treasury, transmitting a statement of claims allowed at the Treasury Department, and his report, prepared agreeably to a resolution of the Senate of May 1st, 1810, on claims barred by the limitations heretofore established, be referred to a select committee.

*Ordered*, That Messrs. Crawford, Goodrich, Bradley, Condit, and Franklin, be the committee.

The Senate resumed, as in committee of the whole, the bill to authorize the surveying and making certain roads in the state of Ohio, as contemplated by the treaty of Brownstown, in the territory of Michigan, together with the amendment reported by the select committee; and having agreed thereto, the President reported the bill to the House amended accordingly.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

On motion, by Mr. Bradley,

The galleries were cleared and the doors of the Senate chamber closed; and

After the consideration of the confidential business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

## TUESDAY, JANUARY 15, 1811.

The engrossed bill to incorporate the Bank of Potomac was read the third time; and the blanks were filled.

*Resolved*, That this bill pass, and that the title thereof be "An act to incorporate the Bank of Potomac."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Cutts, from the committee, reported the bill to incorporate the Bank of Washington correctly engrossed; and the bill was read the third time.

*Resolved*, That this bill pass, and that the title thereof be "An act to incorporate the Bank of Washington."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Cutts, from the committee, also reported the bill to authorize the surveying and making of certain roads in the state of Ohio, as contemplated by the treaty of Brownstown, in the territory of Michigan, correctly engrossed; and the bill was read the third time, and the blanks were filled.

*Resolved*, That this bill pass, and that the title thereof be "An act to authorize the surveying and making of certain roads in the state of Ohio, as contemplated by the treaty of Brownstown, in the territory of Michigan."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

The bill, entitled "An act for the relief of George Armroyd and company," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The Senate resumed, as in committee of the whole, the bill for the relief of Ebenezer Rollins.

On the question, Shall this bill be engrossed and read a third time?

It passed in the affirmative.

Mr. Gilman, from the committee, reported the bill to incorporate the subscribers to the Farmers' Bank of Alexandria correctly engrossed; and the bill was read the third time, and the blanks were filled.

*Resolved*, That this bill pass, and that the title thereof be "An act to incorporate the subscribers to the Farmers' Bank of Alexandria."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate, for the signature of their President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

Mr. Bradley presented the petition of Eugene de Leitensdorfer, a native of Tyrol, now a citizen of the city of Washington, in the District of Columbia, stating that he served as inspector general and chief engineer in the army of General Eaton in Barbary, without receiving any compensation; and praying a portion of land may be assigned him, or some pecuniary compensation, as a reward for his services, for reasons stated at large in the petition; which was read.

On motion, by Mr. Bradley,

*Resolved*, That it be referred to a select committee, to consider and report thereon by bill or otherwise.

*Ordered*, That Messrs. Bradley, Gregg, and Smith, of Maryland, be the committee. The galleries were cleared, and the doors of the Senate chamber closed; and,

After the consideration of the confidential business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

## WEDNESDAY, JANUARY 16, 1811.

Mr. Smith, of Maryland, from the committee appointed on the subject, reported a bill to incorporate the Union Bank of Georgetown; which was read.

*Ordered*, That it pass to the second reading.

Mr. Horsey, from the committee, reported the bill for the relief of Ebenezer Rollins correctly engrossed; and the bill was read the third time.

*Resolved*, That this bill pass, and that the title thereof be "An act for the relief of Ebenezer Rollins."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Lloyd, from the committee to whom were referred the amendments of the House of Representatives to the bill, entitled "An act to suspend the second section of the act, entitled 'An act regulating foreign coins, and for other purposes,'" reported disagreement thereto.

On motion, by Mr. Bradley,

It was agreed that the consideration thereof be the order of the day for to-morrow.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act to enable the people of the territory of Orleans to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes;" in which bill they desire the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

*Ordered*, That it pass to the second reading.

Mr. Smith, of New York, from the committee to whom was referred the bill, entitled "An act to authorize the Secretary of War to ascertain and settle, by the appointment of commissioners, the exterior line of the public land at West Point, with the adjoining proprietor," reported the bill without amendment.

*Ordered*, That it pass to the third reading.

Mr. Leib, from the committee to whom was referred the bill for the establishment of a quartermaster's department, reported it without amendment, and the bill was considered as in committee of the whole.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

Mr. Dana, from the committee appointed to consider the subject, reported a bill concerning the communication by water along the northern confines of the United States; and,

On motion, by Mr. Dana,

The bill was twice read by unanimous consent; and

It was agreed that it be the order of the day for Friday next.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

#### THURSDAY, JANUARY 17, 1811.

The Senate assembled; and,

On motion, by Mr. Gilman,

Adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

#### FRIDAY, JANUARY 18, 1811.

Mr. Leib, from the committee to whom was referred, on the 4th instant, the petition of John Bioren and others, on the subject, asked and obtained leave to bring in a bill authorizing a subscription for the laws of the United States, and for the distribution thereof. And the bill was read.

*Ordered*, That it pass to the second reading.

Mr. Cutts, from the committee, reported the bill for the establishment of a quartermaster's department correctly engrossed.

Mr. Cutts, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act for the relief of George Armroyd and Co.;" also, the enrolled bill, entitled "An act for the relief of the heirs of the late Major General Anthony Wayne;" and that they did, on the 16th instant, lay before the President of the United States the enrolled bill, entitled "An act to fix the compensation of the additional Assistant Postmaster General."

The bill to incorporate the Union Bank of Georgetown was read the second time.

The bill, entitled "An act to enable the people of the territory of Orleans to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes;" was read the second time; and,

On motion, by Mr. Tait,

*Resolved*, That it be referred to a select committee, to consist of five members, to consider and report thereon.

*Ordered*, That Messrs. Tait, Bayard, Goodrich, Clay, and Gregg, be the committee.

Mr. Lloyd submitted the following motion for consideration:

*Resolved*, That the President of the United States be requested to cause to be laid before the Senate an account of all the property heretofore belonging to the government, or any of the citizens or subjects of Great Britain or France or their dependencies, which has been confiscated under the operation of the act of the United States, of March 1st, 1809, "to interdict the commercial intercourse between the United States and Great Britain and France," or under the law of the 1st of May, 1810, relative to an intercourse between the United States and the said countries; also, an account of the goods, wares, and merchandise, imported into the United States from foreign countries, between the 1st of April, 1809, and the 31st December, 1810, distinguishing between the amount imported in American and foreign vessels, and specifying the countries to which the latter belonged.

The bill, entitled "An act to authorize the Secretary of War to ascertain and settle, by the appointment of commissioners, the exterior line of the public land at West Point with the adjoining proprietor," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

Mr. Taylor submitted the following motion for consideration:

*Resolved*, That a committee be appointed to inquire into the expediency of authorizing by law the transfer of so much of the stock standing to the credit of any state pursuant to the report of the commissioners for settling the accounts between the United States and individual states and the act passed thereon, entitled "An act making provision for the payment of the interest on the balances due to certain states upon a final settlement of accounts between the United States and the individual states," to creditors of such state, who were such, prior to the 1st of July, 1793, as may be necessary to satisfy their respective demands, and that the said committee have leave to report by bill or otherwise.

The Senate resumed the consideration of the report of the select committee to whom were referred the amendments of the House of Representatives to the bill, entitled "An act to suspend the second section of the act, entitled 'An act regulating foreign coins, and for other purposes.'"

On motion, by Mr. Crawford,

*Resolved*, That the further consideration of the bill be postponed to the first Monday in June next.

The engrossed bill for the establishment of a quartermaster's department was read the third time; and

The blanks were filled.

On motion, by Mr. Franklin,

*Resolved*, That the further consideration thereof be postponed to the next session of Congress.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed the bill, entitled "An act for the relief of the heirs of the late Major General Anthony Wayne." The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

The galleries were cleared and the doors of the Senate chamber closed; and,

After the consideration of the confidential and Executive business,

The Senate adjourned to 11 o'clock on Monday morning; to which time the several orders of the day were postponed.

#### MONDAY, JANUARY 21, 1811.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. The President of the United States, on the 17th instant, approved and signed "An act to fix the compensation of the additional Assistant Postmaster General." And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

On motion, by Mr. Leib,

*Resolved*, That the joint committee appointed by the Senate and House of Representatives respecting the library belonging to Congress, be directed to inquire into the expediency of making provision for the permanent safe-keeping of the books.

Mr. Smith, of Maryland, presented the memorial of D. Winchester, on behalf of the Baltimore Insurance Company, praying a renewal of the charter of the Bank of the United States, for reasons mentioned at large in the memorial; which was read; and,

On motion, by Mr. Smith, of Maryland,

*Ordered*, That it be referred to the committee appointed on the 18th of December, to consider the petition of the President and Directors of the Bank of the United States on the same subject.

Mr. Bradley presented the petition of Moses Austin and John R. Jones, stating that they have been employed for thirteen years past in the mining and smelting of lead on a tract of land in the territory of Louisiana, at Mine a Burton, of which they are legal

ly seized in fee by virtue of a grant from the Spanish government. That for want of funds, they are unable to work the mine, so advantageously to themselves and the public, as they (from long experience) are convinced is practicable. That they are desirous of forming a company to raise a capital to enable them to extend their operations, and praying that a law may be passed incorporating them, and such other persons as shall hereafter subscribe to the said institution. And the petition was read.

On motion, by Mr. Bradley,

*Resolved*, That it be referred to a select committee, to consider and report thereon by bill or otherwise.

*Ordered*, That Messrs. Bradley, Gregg, and Franklin, be the committee.

Mr. Bradley, from the committee to whom was referred, on the 15th instant, the petition of John Eugene Leitensdorfer, reported a bill making compensation to John Eugene Leitensdorfer, for services rendered the United States in the war with Tripoli; which was read, and passed to a second reading.

The President laid before the Senate the memorial of the Legislative Council and House of Representatives of the Indiana territory, praying sundry modifications of the law relating to the public lands of the United States, the remission of the interest upon instalments which have not been paid up, and that the purchasers be allowed a further time for payment, for reasons stated at large in the memorial; which was read.

On motion, by Mr. Franklin,

*Ordered*, That it be referred to the committee appointed the 14th instant, to inquire what further provisions or alterations are necessary for the disposition of the public lands of the United States.

Mr. Lloyd, from the committee appointed the 8th instant on the petition of Nathaniel F. Fosdick, reported a bill authorizing the discharge of Nathaniel F. Fosdick from his imprisonment; which was read, and passed to a second reading.

On motion, by Mr. Dana,

*Resolved*, That the petition of William Mills, presented on the 7th instant, be referred to a select committee, to consider and report thereon by bill or otherwise.

*Ordered*, That Messrs. Dana, Taylor, and Gilman, be the committee.

The Senate resumed, as in committee of the whole, the bill to incorporate the Union Bank of Georgetown; and the President having reported it to the House amended.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the bill concerning the communication by water along the northern confines of the United States, and the President having reported it to the House amended.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

The Senate resumed the consideration of the motion made on the 18th instant by Mr. Lloyd; which was agreed to.

The Senate resumed the consideration of the motion made on the 18th instant, by Mr. Taylor; which was agreed to; and

*Ordered*, That Messrs. Taylor, Lloyd, and Bradley, be the committee.

Mr. Cutts, from the committee, reported that they this day laid before the President of the United States the enrolled bill, entitled "An act for the relief of the heirs of the late Major General Anthony Wayne," also, on the 19th instant, the enrolled bill, entitled "An act for the relief of George Armroyd and company;" and that they had examined and found duly enrolled the bill, entitled "An act to authorize the Secretary of War to ascertain and settle, by the appointment of commissioners, the exterior line of the public land at West Point with the adjoining proprietor."

On motion, by Mr. Clay, (one of the majority) that the vote of postponement, passed the 18th instant, on the bill for the establishment of a quartermaster's department, be reconsidered:

It was determined in the negative, { Yeas . . . . . 10,  
{ Nays . . . . . 16.

On motion, by Mr. Reed,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Champlin, Clay, Cutts, Dana, Goodrich, Gregg, Leib, Smith, of Maryland, Whiteside, and Worthington.

Those who voted in the negative, are,

Messrs. Bayard, Bradley, Campbell, Condit, Crawford, Franklin, Gaillard, Gilman, Lambert, Lloyd, Mathewson, Pickering, Reed, Tait, Taylor, and Turner.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

**TUESDAY, JANUARY 22, 1811.**

Mr. Dana, from the committee appointed yesterday on the petition of William Mills, reported a bill for the relief of William Mills; which was read and passed to a second reading.

Mr. Cutts, from the committee, reported the bill to incorporate the Union Bank of Georgetown correctly engrossed; and the bill was read the third time.

*Resolved*, That this bill pass, and that the title thereof be "An act to incorporate the Union Bank of Georgetown."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Cutts, from the committee, reported the bill concerning the communication by water along the northern confines of the United States correctly engrossed; and the bill was read the third time, and the blank filled.

*Resolved*, That this bill pass, and that the title thereof be "An act concerning the communication by water along the northern confines of the United States."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

The President communicated the general account of the Treasurer of the United States, from October 1st, 1809, to October 1st, 1810; as, also, the accounts of the War and Navy Departments for the same period; together with the reports of the accounting officers of the Treasury thereon; which were read.

Mr. Smith, of New York, presented the memorial of the Ocean Insurance Company, of the city of New York, praying a renewal of the charter of the Bank of the United States, for reasons mentioned in the memorial; which was read, and,

On motion, by Mr. Smith, of New York,

*Ordered*, That it be referred to the committee appointed the 18th of December, to consider the petition of the President and Directors of the Bank of the United States on the same subject.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. The President of the United States, on the 19th instant, approved and signed "An act for the relief of George Armroyd and company." And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

The bill making compensation to John Eugene Leitensdorfer, for services rendered the United States in the war with Tripoli, was read the second time.

The bill authorizing the discharge of Nathaniel F. Fosdick from his imprisonment was read the second time.

Mr. Clay presented the memorial of a great number of mechanics and manufacturers in the state of Kentucky, praying encouragement by protecting duties and otherwise, in the manner and for the reasons therein mentioned at large; and the memorial was read; and,

On motion, by Mr. Smith, of Maryland,

*Ordered*, That it be printed for the use of the Senate.

Mr. Anderson presented the petition of Benjamin Stoddert and Thomas Ewell, directors of the Georgetown Potomac Bridge Company, praying that an act may pass, authorizing the directors of the company to call on the stockholders for such additional payments on the shares as will enable the company to repair the bridge, for reasons stated at large in the petition; which was read, and,

On motion, by Mr. Anderson,

*Resolved*, That it be referred to a select committee, to consider and report thereon, by bill or otherwise.

*Ordered*, That Messrs. Anderson, Pickering, and Tait, be the committee.

A message from the President of the United States, by Mr. Coles, his Secretary:

*Mr. President*: The President of the United States yesterday approved and signed "An act for the relief of the heirs of the late Major General Anthony Wayne."

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The Senate resumed, as in committee of the whole, the bill to authorize a subscription for the laws of the United States, and for the distribution thereof; and the President having reported it to the House amended,

On motion, by Mr. Bradley,

*Ordered*, That the further consideration thereof be postponed until to-morrow.

Mr. Cutts, from the committee, reported that they this day laid before the President of the United States the enrolled bill, entitled "An act to authorize the Secretary of War to ascertain and settle, by the appointment of commissioners, the exterior line of the public land at West Point with the adjoining proprietor."

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### WEDNESDAY, JANUARY 23, 1811.

The bill for the relief of William Mills was read the second time.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the bill to authorize a subscription for the laws of the United States, and for the distribution thereof; and,

On motion, by Mr. Anderson,

*Resolved*, That it be postponed to the first Monday in December next.

The Senate resumed, as in committee of the whole, the bill authorizing the discharge of Nathaniel F. Fosdick from his imprisonment; and,

On the question, Shall this bill be engrossed and read the third time?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the bill making compensation to John Eugene Leitensdorfer; and,

On motion, by Mr. Bradley,

*Ordered*, That it be postponed to Monday next.

Mr. Anderson submitted the following motion for consideration:

*Resolved*, That a committee be appointed to consider and report whether it be expedient for the United States to give any aid or support to the building of a bridge across the river Susquehanna at Havre de Grace, in the state of Maryland; and that the committee have leave to report by bill or otherwise.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### THURSDAY, JANUARY 24, 1811.

The Senate took into consideration the motion submitted yesterday by Mr. Anderson, and agreed thereto; and

*Ordered*, That Messrs. Anderson, Bayard, Reed, Horsey, and Smith, of Maryland, be the committee.

Mr. Cutts, from the committee, reported the bill authorizing the discharge of Nathaniel F. Fosdick from his imprisonment correctly engrossed; and the bill was read the third time.

*Resolved*, That this bill pass, and that the title thereof be "An act authorizing the discharge of Nathaniel F. Fosdick from his imprisonment."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Cutts, from the committee, reported the bill for the relief of William Mills correctly engrossed; and the bill was read the third time.

*Resolved*, That this bill pass, and that the title thereof be "An act for the relief of William Mills."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Clay presented the memorial of a great number of the citizens of the state of Kentucky, praying a renewal of the charter of the Bank of the United States, for reasons mentioned therein; and the memorial was read.

On motion, by Mr. Clay,

*Ordered*, That it be referred to the committee appointed on the 18th of December, to consider the petition of the President and Directors of the Bank of the United States on the same subject.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

**FRIDAY, JANUARY 25, 1811.**

Mr. Tait, from the committee to whom was referred, on the 18th instant, the bill, entitled "An act to enable the people of the territory of Orleans to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes," reported it with amendments; which were read, and

On motion, by Mr. Tait,

It was agreed that they be made the order of the day for Monday next.

The President laid before the Senate the petition of Eleanor Wilson, on behalf of her husband Philip Wilson, praying that the claim of her husband for certain stores furnished Commissary General Blain, for the use of his department, may be taken out of the statute of limitation, and that the same may be allowed and paid, for reasons therein mentioned; and the petition was read.

Mr. Gregg presented the petition of Thomas Campbell, stating that he served as a captain in the Revolutionary army; that during the service he received several wounds; and praying relief, for reasons mentioned in the petition; which was read.

On motion, by Mr. Gregg,

*Resolved*, That it be referred to a select committee, to consider and report thereon by bill or otherwise.

*Ordered*, That Messrs. Gregg, Bradley, and Pickering, be the committee.

On motion, by Mr. Crawford,

*Resolved*, That a committee be appointed to inquire into the expediency of making further provision by law for the punishment of crimes committed in the territories possessed by the Indian tribes within the limits of the United States and its territories; and that the said committee have leave to report by bill or otherwise.

*Ordered*, That Messrs. Crawford, Bradley, and Goodrich, be the committee.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning; to which time the several orders of the day were postponed.

**MONDAY, JANUARY 28, 1811.**

Mr. Campbell, from the committee appointed the third instant, on the bill, entitled "An act providing for the final adjustment of claims to lands and for the sale of the public lands in the territory of Orleans and Louisiana," reported it with amendments; which were read.

Mr. Smith, of Maryland, from the committee to whom was recommitted, on the 12th instant, the bill making further provision for the corps of engineers, reported it with amendments; which were read.

The President communicated the report of the Postmaster General, prepared in obedience to the provisions of the act passed the 21st of April, 1806, entitled "An act to regulate and fix the compensations of clerks, and to authorize the laying out certain public roads, and for other purposes," together with his report, made in obedience to the act of the 21st of April, 1808, concerning public contracts; and the reports were read.

The President also communicated a report from the Secretary of the Treasury on the moneys expended during the year 1810 for the discharge of miscellaneous claims not otherwise provided for, and paid at the Treasury; and a statement of the contracts made during the same year by or under the direction of the Secretary of the Treasury; also, statements of the purchases or payments for supplies made by the collectors during the year 1809 in relation to the revenue and to the temporary relief of seamen; which were read.

Mr. Gregg, from the committee appointed the 25th instant on the subject, reported a bill for the relief of Thomas Campbell; which was read and passed to a second reading.

Mr. Worthington presented the resolution of the legislature of the state of Ohio instructing the representation in Congress from that state to use their endeavors to procure an extension of the time for the payment of public lands in certain cases; which was read.

On motion, by Mr. Worthington,

*Ordered*, That it be referred to the committee appointed the 14th instant on the same subject.



On motion, by Mr. Worthington,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Worthington, Bayard, and Champlin, be the committee.

The bill, entitled "An act making appropriations for the support of the military establishment of the United States for the year one thousand eight hundred and eleven," was read the second time; and,

On motion, by Mr. Smith, of Maryland,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Smith, of Maryland, Gregg, and Pickering, be the committee.

The bill for the relief of Thomas Campbell was read the second time.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

The bill, entitled "An act incorporating the Protestant Episcopal Church in the town of Alexandria, in the District of Columbia," was read the second time.

The bill, entitled "An act to change the name of Lewis Grant to that of Lewis Grant Davidson," was read the second time.

Mr. Bayard submitted the following motion for consideration:

*Resolved*, That the President of the United States be requested to cause to be laid before the Senate copies of any correspondence or communications (which in his opinion may be made public without prejudice to the public welfare) which have taken place between the Executive government of the United States and the French or Spanish governments, relative to the territory comprehended within the limits of Louisiana as ceded by France to the United States by the treaty of April, 1803.

The Senate resumed, as in committee of the whole, the bill, entitled "An act to enable the people of the territory of Orleans to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes," together with the amendments reported by the select committee; and

On motion, by Mr. Bayard,

To strike out the proviso, in the first amendment reported, as follows, to wit: "Provided, nevertheless, that the government of the United States hereby retains the power of altering, in any manner it may hereafter deem proper, the limits of all that portion of the said described territory which lies east of the river Mississippi and the Island of New Orleans;" and

A motion was made by Mr. Tait to amend the proviso by inserting, after the word "that," the following words: "the government of the United States hereby retains to itself the power of attaching to the said state any part of the territory lying east of the Mississippi river south of the Mississippi territory and west of the river Mobile;" and

It was determined in the negative, { Yeas . . . . . 9,  
{ Nays . . . . . 22.

On motion, by Mr. Reed,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Clay, Crawford, Cutts, Gregg, Smith, of New York, Tait, Taylor, and Turner.

Those who voted in the negative, are,

Messrs. Bayard, Bradley, Campbell, Champlin, Condit, Dana, Franklin, Gaillard, German, Gilman, Goodrich, Horsey, Lambert, Lloyd, Mathewson, Pickering, Pope, Reed, Robinson, Smith, of Maryland, Whiteside, and Worthington.

And the proviso was struck out.

On motion,

To agree to the report of the select committee on section 3d, line 1st, by inserting the word "white" before the words "male citizens of the United States;"

It was determined in the affirmative, { Yeas . . . . . 24,  
{ Nays . . . . . 8.

On motion, by Mr. Robinson,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bayard, Bradley, Campbell, Clay, Condit, Dana, Franklin, Gaillard, Gilman, Goodrich, Gregg, Horsey, Lambert, Leib, Lloyd, Pickering, Reed, Smith, of Maryland, Smith, of New York, Tait, Taylor, Turner, and Worthington.

Those who voted in the negative, are,

Messrs. Campbell, Crawford, Cutts, German, Mathewson, Pope, Robinson, and Whiteside.

The President reported the bill to the House amended.

The following amendment was proposed by Mr. Dana:

*Provided*, That this act shall not be understood to admit such state into the Union as aforesaid, unless each of the original states shall consent to the same, or there shall be a constitutional amendment empowering the Congress to admit into the Union new states formed beyond the boundaries of the United States, as known and understood at the time of establishing the constitution for the United States;" and,

On his motion,

It was agreed to take the question thereon by yeas and nays; and,

On motion, by Mr. Bayard,

The further consideration of the bill was postponed until to-morrow.

Mr. Worthington, from the committee appointed the 14th instant, on the subject, reported a bill making further provisions for the disposal of the sections of land heretofore reserved for the future disposition of Congress, and for other purposes;" which was read and passed to a second reading.

Mr. Anderson presented the memorial of the legislative council and house of representatives of the Mississippi territory, praying that the said territory may be admitted as a state into the Union, upon the footing of the original states, for reasons therein mentioned; and the memorial was read.

On motion, by Mr. Anderson,

*Resolved*, That it be referred to a select committee, to consider and report thereon by bill or otherwise.

*Ordered*, That Messrs. Anderson, Bayard, and Dana, be the committee.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### WEDNESDAY, JANUARY 30, 1811.

Mr. Smith, of Maryland, from the committee appointed yesterday on the bill, entitled "An act making appropriations for the support of the military establishment of the United States for the year one thousand eight hundred and eleven," reported it without amendment.

Mr. Cutts, from the committee, reported the bill for the relief of Thomas Campbell, correctly engrossed; and the bill was read the third time.

*Resolved*, That this bill pass, and that the title thereof be "An act for the relief of Thomas Campbell."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Leib presented a memorial subscribed by a great number of the master mechanics and manufacturers of the city and county of Philadelphia, praying a renewal of the charter of the Bank of the United States, for reasons therein mentioned; and the memorial was read; and,

On motion, by Mr. Leib,

*Ordered*, That it be referred to the committee appointed the 18th of December, on the petition of the President and Directors of the Bank of the United States, on the same subject.

The Senate took into consideration the motion submitted yesterday, by Mr. Bayard, and,

On motion, by Mr. Worthington,

To amend the resolution, by adding thereto the following words, "not heretofore laid before Congress;"

It was determined in the negative.

On the question to agree to the resolution,

It was determined in the negative, 

Yeas . . . . .	12,
Nays . . . . .	17.

On motion, by Mr. Clay,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Bradley, Campbell, Champlin, Dana, Gilman, Goodrich, Horsey, Lloyd, Pickering, Reed, and Worthington.

Those who voted in the negative, are,

Messrs. Clay, Condit, Cutts, Franklin, Gaillard, German, Gregg, Lambert, Leib, Mathewson, Robinson, Smith, of Maryland, Smith, of New York, Tait, Taylor, Turner, and Whiteside.

The Senate took into consideration the amendment proposed yesterday, by Mr. Dana, to the bill, entitled "An act to enable the people of the territory of Orleans to form a constitution and state government, and for the admission of such state into the Union, on an equal footing with the original states, and for other purposes;" and,

On motion, by Mr. Clay,

It was agreed to divide the question; and,

On the question, to agree to the first division of the amendment, to wit, "Provided, That this act shall not be understood to admit such state into the Union, as aforesaid, unless each of the states shall consent to the same:"

It was determined in the negative, { Yeas . . . . . 10,  
Nays . . . . . 18.

The yeas and nays having been required by one-fifth of the Senators present, Those who voted in the affirmative, are,

Messrs. Bradley, Champlin, Dana, German, Gilman, Goodrich, Horsey, Lloyd, Pickering, and Reed.

Those who voted in the negative, are,

Messrs. Campbell, Clay, Condit, Franklin, Gaillard, Gregg, Lambert, Leib, Mathewson, Pope, Robinson, Smith, of Maryland, Smith, of New York, Tait, Taylor, Turner, Whiteside, and Worthington.

On the question to agree to the second division of the amendment, to wit: "Provided, That this act shall not be understood to admit such state into the Union as aforesaid, unless there shall be a constitutional amendment empowering the Congress to admit into the Union new states formed beyond the boundaries of the United States, as known and understood at the time of establishing the constitution for the United States:"

It was determined in the negative, { Yeas . . . . . 8,  
Nays . . . . . 17.

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Champlin, Dana, German, Gilman, Goodrich, Lloyd, Pickering, and Reed.

Those who voted in the negative, are,

Messrs. Campbell, Clay, Condit, Franklin, Gaillard, Gregg, Lambert, Leib, Mathewson, Robinson, Smith, of Maryland, Smith, of New York, Tait, Taylor, Turner, Whiteside, and Worthington.

On motion, by Mr. Bradley,

To postpone the further consideration of the bill to the second Monday in February next,

It was determined in the negative.

On the question, Shall the bill be read a third time as amended?

It was determined in the affirmative, { Yeas . . . . . 17,  
Nays . . . . . 10.

On motion, by Mr. Gilman,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Brent, Clay, Condit, Franklin, Gaillard, Gregg, Lambert, Mathewson, Pope, Robinson, Smith, of Maryland, Smith, of New York, Tait, Taylor, Turner, Whiteside, and Worthington.

Those who voted in the negative, are,

Messrs. Bradley, Champlin, Dana, German, Gilman, Goodrich, Horsey, Lloyd, Pickering, and Reed.

The Senate resumed, as in committee of the whole, the bill entitled "An act to change the name of Lewis Grant to that of Lewis Grant Davidson;" and

Ordered, That it pass to a third reading.

The Senate resumed, as in committee of the whole, the bill making compensation to John Eugene Leitensdorfer, for services rendered the United States in the war with Tripoli; and,

On the question, Shall this bill be engrossed and read the third time?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the bill, entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands in the territories of Orleans and Louisiana," together with the amendments reported thereunto by the select committee; and, having agreed thereto,

On motion, by Mr. Clay,

It was agreed that the further consideration thereof be postponed until to-morrow.



therein stated, and that they may be heard by counsel on the subject; and the memorial was read.

On motion, by Mr. Leib,

*Ordered*, That it be referred to the committee appointed the 18th of December, on the petition of the President and directors of the Bank of the United States on the same subject.

On motion, by Mr. Worthington,

*Resolved*, That the message of the President of the United States of the 30th inst. transmitting to Congress copies of the "laws, treaties, and other documents, relative to the public lands," be referred to a select committee, to consider and report thereon by bill or otherwise.

*Ordered*, That Messrs. Worthington, Gregg, and Franklin, be the committee.

Mr. Franklin, from the committee to whom was referred the bill, entitled "An act making appropriations for the support of government for the year one thousand eight hundred and eleven," reported it without amendment.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*. The House of Representatives have passed a bill, entitled "An act concerning the Bank of Alexandria," in which bill they desire the concurrence of the Senate.

The President of the United States did, on the 17th December, approve and sign "An act to authorize the transportation of certain documents free of postage." And he withdrew.

The bill last brought up for concurrence was read.

*Ordered*, That it pass to the second reading.

The Senate resumed, as in committee of the whole, the bill making further provision for the corps of engineers, together with the amendments reported thereto by the select committee; and, after progress,

On motion, by Mr. Smith, of Maryland,

It was agreed that the further consideration thereof be postponed and be made the order of the day for to-morrow.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate and House of Representatives of the United States*:

I lay before Congress a letter from the charge d'affaires of the United States at Paris to the Secretary of State, and another from the same to the French minister of foreign relations; also, two letters from the agent of the American consul at Bordeaux to the Secretary of State.

JAMES MADISON.

January 31, 1811.

The message and communications were read.

On motion, by Mr. Lloyd,

*Ordered*, That they be printed for the use of the Senate.

The Senate resumed the bill, entitled "An act making appropriations for the support of the military establishment of the United States for the year one thousand eight hundred and eleven;" and

*Ordered*, That it pass to the third reading.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

FRIDAY, FEBRUARY 1, 1811.

The credentials of the Honorable James A. Bayard, appointed a Senator by the legislature of the state of Delaware, for the term of six years from the third day of March next; and of the Honorable William H. Crawford, appointed a Senator by the legislature of the state of Georgia, for the term of six years from the third day of March next, were severally read.

*Ordered*, That they lie on file.

The bill, entitled "An act concerning the Bank of Alexandria," was read the second time.

On motion, by Mr. Bayard,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Bayard, Brent, and Bradley, be the committee.

The bill to enable the Georgetown Potomac Bridge Company to levy money for the object of its incorporation was read the second time.

The Senate resumed, as in committee of the whole, the bill making further provision for the corps of engineers, together with the amendments reported thereto by the select committee; and

On the question to agree to the following amendment:

Section 5, line 4, after the word "buildings," insert, "at such place as shall be designated by the President of the United States, and"—

It was determined in the negative, { Yeas . . . . . 15,  
{ Nays . . . . . 17.

On motion, by Mr. German,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bayard, Bradley, Brent, Champlin, Clay, Crawford, Cutts, Franklin, Gaillard, Horsey, Pope, Tait, Taylor, and Turner.

Those who voted in the negative, are,

Messrs. Campbell, Condit, Dana, German, Gilman, Goodrich, Gregg, Lambert, Leib, Lloyd, Mathewson, Pickering, Reed, Robinson, Smith, of Maryland, Smith, of New York, and Worthington.

On motion, by Mr. Anderson,

It was agreed that the consideration of the bill be further postponed.

The bill, entitled "An act making appropriations for the support of the military establishment of the United States for the year one thousand eight hundred and eleven," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

On motion, by Mr. Bayard,

*Resolved*, That the President of the United States be requested to cause to be laid before the Senate a copy of the census or latest enumeration of the people in the territory of Orleans, which has been returned to the office of the Secretary of State; and, also, a copy of the latest militia return from the said territory.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning; to which time the several orders of the day were postponed.

#### MONDAY, FEBRUARY 4, 1811.

The President communicated the report of the Secretary of the Treasury, prepared in obedience to the provisions of the act, entitled "An act to regulate and fix the compensation of clerks, and for other purposes;" which was read; and

*Ordered*, That it lie on the table.

The President also communicated the report of the commissioners of the sinking fund, stating that the measures which have been authorized by the board subsequent to their last report of the 3d of February, 1810, so far as the same have been completed, are fully detailed in the report of the Secretary of the Treasury to this board, dated the first day of the present month, and in the statements therein referred to, which are herewith transmitted, and prayed to be received as part of this report; and the report was read.

*Ordered*, That it be printed for the use of the Senate.

On motion, by Mr. Worthington,

*Resolved*, That a committee be appointed to examine and report what alterations or amendments are necessary to the act, entitled "An act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio," with leave to report by bill or otherwise.

*Ordered*, That Messrs. Worthington, Cutts, and Franklin, be the committee.

On motion, by Mr. Bradley,

*Resolved*, That a committee be appointed to inquire whether any and what alterations are necessary in relation to the act, entitled "An act fixing the compensation of public ministers and of consuls residing on the coast of Barbary, and for other purposes."

*Ordered*, That Messrs. Bradley, Brent, and Bayard, be the committee.

Mr. Cutts, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act to change the name of Lewis Grant to that of Lewis Grant Davidson;" also, the bill, entitled "An act making appropriations for the support of the military establishment of the United States for the year one thousand eight hundred and eleven."

The Senate resumed the bill, entitled "An act making appropriations for the support of the navy of the United States for the year one thousand eight hundred and eleven;" and

*Ordered*, That it pass to the third reading.

Mr. Gregg presented the memorial of the clergy, resident in the city of Philadelphia, praying the ninth section of the act, entitled "An act regulating the post office establishment," passed the 25th of April, 1810, may be so amended as to prohibit the delivery of letters on the first day of the week, commonly called the Lord's day, for reasons therein stated; and the memorial was read.

On motion, by Mr. Gregg,

*Resolved*, That it be referred to a select committee, to consider and report thereon by bill or otherwise.

*Ordered*, That Messrs. Gregg, Bayard, and Bradley, be the committee.

Mr. Campbell presented the petition of Moses Byxbe, praying the privilege of entering a part of the tract of the two miles square situated at the lower Rapids of Sandusky river, at the common and ordinary price of public lands, with the usual conditions of such entries, (and that it be exempted from sale at public auction,) for the purpose of erecting a mill thereon for the convenience of the settlement, as is stated at large in the petition.

Mr. Campbell also presented the memorial of the Western Missionary Society on the same subject; and the petition and memorial were severally read.

On motion, by Mr. Campbell,

*Resolved*, That they be referred to a select committee, to consider and report thereon by bill or otherwise.

*Ordered*, That Messrs. Campbell, Robinson, and Franklin, be the committee.

The bill, entitled "An act incorporating the Protestant Episcopal Church in the town of Alexandria, in the District of Columbia," was read the second time.

On the question, Shall this bill be read a third time?

It was determined in the negative.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate of the United States:*

I transmit to the Senate a report of the Secretary of the Treasury, complying with their resolution of December 20, 1810.

JAMES MADISON.

February 4, 1811.

The message and report were read.

On motion,

*Ordered*, That they be printed for the use of the Senate.

The President also communicated a report of the Secretary of the Treasury, in pursuance of the resolution of the Senate of the 20th of December, 1810, respecting the survey of the coast of the territory of Orleans, together with sundry documents relative thereto; and the report was read.

*Ordered*, That the report and documents be printed for the use of the Senate.

Mr. Worthington, from the committee to whom was referred the message of the President of the United States of the 30th of January on the subject, reported a bill making a further distribution of such laws of the United States as respect the public lands.

Mr. Leib presented the petition of a number of the citizens of Pittsburg, praying the charter of the Bank of the United States may not be renewed, for reasons therein stated; and the petition was read.

On motion, by Mr. Leib,

*Ordered*, That it be referred to the committee appointed the 18th of December on the petition of the President and Directors of the Bank of the United States on the same subject.

The Senate resumed, as in committee of the whole, the bill making further provision for the corps of engineers, together with the amendments reported thereto by the select committee.

On motion, by Mr. Gregg,

To amend the amendment reported by the select committee, which report goes to strike out the sixth section, and to retain the said sixth section amended, as follows:

"that the President of the United States be, and he is hereby, authorized to remove the military academy from West Point, and to establish the same at Carlisle, in the state of Pennsylvania;"

It was determined in the negative, { Yeas . . . . . 16,  
Nays . . . . . 17.

On motion, by Mr. Gregg,

The yeas and nays having been required by one-fifth of the Senators present,  
Those who voted in the affirmative, are,

Messrs. Anderson, Bayard, Brent, Campbell, Champlin, Clay, Franklin, Gaillard, Gregg, Lloyd, Pope, Tait, Taylor, Turner, Whiteside, and Worthington.

Those who voted in the negative, are,

Messrs. Bradley, Condit, Crawford, Cutts, Dana, German, Gilman, Goodrich, Horsey, Lambert, Leib, Mathewson, Pickering, Reed, Robinson, Smith, of Maryland, and Smith, of New York.

And on the question to agree to the report of the select committee which goes to strike out the sixth section of the original bill, and to substitute the amendment reported, amended as follows:

"Sec. 6th. *And be it further enacted*, That the 27th section of the act, entitled 'An act fixing the military peace establishment,' passed the 16th day of March, one thousand eight hundred and two, and that so much of the 26th section of the said act, as confines the selection of the commander of the corps of engineers to the said corps, be, and the same are hereby repealed:"

It was determined in the affirmative, { Yeas . . . . . 19,  
Nays . . . . . 14.

On motion, by Mr. Smith, of Maryland,

The yeas and nays having been required by one-fifth of the Senators present,  
Those who voted in the affirmative, are,

Messrs. Anderson, Bayard, Bradley, Brent, Campbell, Champlin, Clay, Crawford, Franklin, Gaillard, Gregg, Horsey, Lloyd, Pope, Tait, Taylor, Turner, Whiteside, and Worthington.

Those who voted in the negative, are,

Messrs. Condit, Cutts, Dana, German, Gilman, Goodrich, Lambert, Leib, Mathewson, Pickering, Reed, Robinson, Smith, of Maryland, and Smith, of New York.

On motion, by Mr. Smith, of Maryland,

To strike out of the amendment last agreed to, from the word "enacted," in the first line, to the word "and," in the second instance, inclusive:

It was determined in the negative, { Yeas . . . . . 15,  
Nays . . . . . 18.

On motion, by Mr. Brent,

The yeas and nays having been required by one-fifth of the Senators present,  
Those who voted in the affirmative, are,

Messrs. Condit, Cutts, Dana, German, Gilman, Goodrich, Lambert, Leib, Lloyd, Mathewson, Pickering, Reed, Robinson, Smith, of Maryland, and Smith, of New York.

Those who voted in the negative, are,

Messrs. Anderson, Bayard, Bradley, Brent, Campbell, Champlin, Clay, Crawford, Franklin, Gaillard, Gregg, Horsey, Pope, Tait, Taylor, Turner, Whiteside, and Worthington.

And the President reported the bill to the House amended.

On motion, by Mr. Bradley,

Further to amend the original bill, section 5, line 4, by inserting, after the word "buildings," "at such place as shall be designated by the President of the United States, and"—

It was determined in the affirmative, { Yeas . . . . . 17,  
Nays . . . . . 15.

On motion, by Mr. Bradley,

The yeas and nays having been required by one-fifth of the Senators present,  
Those who voted in the affirmative, are,

Messrs. Anderson, Bayard, Bradley, Brent, Champlin, Clay, Crawford, Cutts, Franklin, Gaillard, Horsey, Pope, Smith, of New York, Tait, Taylor, Turner, and Worthington.

Those who voted in the negative, are,

Messrs. Campbell, Condit, Dana, German, Gilman, Goodrich, Gregg, Lambert, Leib, Lloyd, Mathewson, Pickering, Reed, Robinson, and Smith, of Maryland.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

Mr. Bayard, from the committee appointed on the subject, reported the bill, entitled "An act concerning the Bank of Alexandria," without amendment.

Mr. Smith, of New York, presented the memorial of the Columbia Insurance Company of the city of New York, praying a renewal of the charter of the Bank of the United States, for reasons therein stated. And the memorial was read; and

*Ordered*, That it be referred to the committee on the petition of the President and Directors of the Bank of the United States, on the same subject.

The Senate resumed the bill making further provisions for the disposal of the sections of land heretofore reserved for the future disposition of Congress; and

Mr. Worthington proposed an amendment thereto; which was read.

*Ordered*, That the consideration of the bill be postponed until to-morrow.

On motion, by Mr. Franklin, one of the majority,

It was agreed to reconsider the vote passed on the bill, entitled "An act incorporating the Protestant Episcopal Church of the town of Alexandria, in the District of Columbia;" and,

On his motion,

*Resolved*, That the bill be referred to a select committee.

*Ordered*, That Messrs. Franklin, Taylor, and Pickering, be the committee, further to consider and report thereon.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### TUESDAY, FEBRUARY 5, 1811.

The bill making a further distribution of such laws of the United States as respect the public lands was read the second time.

Mr. Cutts, from the committee, reported the bill making further provision for the corps of engineers correctly engrossed; and the bill was taken up.

On motion, by Mr. Anderson,

*Resolved*, That it be recommitted to a select committee, to consist of five members, further to consider and report thereon.

*Ordered*, That Messrs. Anderson, Crawford, German, Smith, of Maryland, and Brent, be the committee.

Mr. Anderson, from the committee appointed the 24th January, to consider the subject, reported a bill authorizing the sale and grant of a certain quantity of public land to the Havre de Grace Bridge Company; and the bill was read.

*Ordered*, That it pass to a second reading.

The Senate resumed the bill, entitled "An act to enable the people of the territory of Orleans to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes;" and,

On motion, by Mr. Bayard,

It was agreed that the consideration thereof be further postponed and made the order of the day for to-morrow.

The Senate resumed, as in committee of the whole, the bill, entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands in the territories of Orleans and Louisiana;" and, having agreed to the amendments reported by the select committee, the President reported the bill to the house accordingly.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the bill to enable the Georgetown Potomac Bridge Company to levy money for the object of its incorporation.

On the question, Shall this bill be engrossed and read a third time?

On the question, Shall this bill be engrossed and read a third time?

The votes being equal, the President determined the question in the affirmative.

Mr. Crawford, from the committee appointed on the subject, reported a bill to amend and continue in force an act, entitled "An act to incorporate the subscribers to the Bank of the United States," passed on the 25th day of February, one thousand seven hundred and ninety-one.

And the bill was read.

*Ordered*, That it pass to the second reading.

Mr. Crawford also communicated a letter from the chairman of the committee to the Secretary of the Treasury, together with the answer of the Secretary thereto, on the subject of the Bank of the United States; which were read, and,

On his motion,

*Ordered*, That they be printed for the use of the Senate.

The Senate resumed, as in committee of the whole, the bill making further provisions for the disposal of the sections of land heretofore reserved for the future disposition of Congress, and for other purposes."

On motion, by Mr. Smith, of Maryland,

It was agreed that the consideration thereof be further postponed, and be made the order of the day for to-morrow.

The Senate resumed the bill, entitled "An act concerning the Bank of Alexandria;" and

*Ordered*, That it pass to the third reading.

The bill, entitled "An act making appropriations for the support of the navy of the United States for the year one thousand eight hundred and eleven," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### WEDNESDAY, FEBRUARY 6, 1811.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The House of Representatives have passed the bill, entitled "An act for the relief of William Mills." And he withdrew.

The President signed the two enrolled bills, last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

Mr. Cutts, from the committee, reported the bill to enable the Georgetown Potowmac Bridge Company, to levy money for the object of its incorporation, correctly engrossed.

He also reported the amendments to the bill, entitled "An act providing for the final adjustment of claims to lands, and for the sale of public lands in the territories of Orleans and Louisiana," correctly engrossed.

Mr. Bradley presented the petition of Charlotte Hazen, relict of the late Brigadier General Moses Hazen, praying a grant of land may be made to her, as a Canadian refugee, or that a small addition, in lieu thereof, may be added to her present pension from Congress, for reasons stated at large in the petition; which was read.

On motion, by Mr. Bradley,

*Resolved*, That it be referred to a select committee, to consider and report thereon by bill or otherwise.

*Ordered*, That Messrs. Bradley, Franklin, and German, be the committee.

Mr. Bradley presented the memorial of James Wilkinson, stating that he has made sundry advances of money in the course of his military service, for which, no provision having been made by law, he cannot obtain credit therefor at the proper accounting offices; and that he is improperly charged on the books of the War Department with disbursements made by him in the prosecution of certain orders from the Executive, and praying relief, for reasons therein mentioned; and the memorial was read.

On motion, by Mr. Bradley,

*Resolved*, That it be referred to a select committee, to consider and report thereon, by bill or otherwise.

*Ordered*, That Messrs. Bradley, Campbell, and Gregg, be the committee.

Mr. Anderson, from the committee to whom was referred "the bill making further provision for the corps of engineers," reported it with amendments; which were read.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed the bill, entitled "An act making compensation to John Eugene Leitensdorfer, for services rendered the United

States in the war with Tripoli," with an amendment, in which they request the concurrence of the Senate.

The House of Representatives have passed a bill, entitled "An act for the relief of Richard Tervin, William Coleman, Edwin Lewis, Samuel Mims, Joseph Wilson, and the Baptist church at Salem meeting-house, in the Mississippi territory; also, a bill, entitled "An act providing for the sale of a tract of land lying in the state of Tennessee, and a tract in the Indiana territory;" in which bills they request the concurrence of the Senate. And he withdrew.

The bills last brought up for concurrence were read.

*Ordered*, That they severally pass to the second reading.

The amendment of the House of Representatives to the bill, entitled "An act making compensation to John Eugene Leitensdorfer, for services rendered the United States in the war with Tripoli," was read.

Mr. Crawford, from the committee appointed on the subject, reported a bill to authorize the payment of certain certificates, credits, and pensions, and for other purposes. And the bill was read.

*Ordered*, That it pass to the second reading.

The bill, entitled "An act concerning the Bank of Alexandria," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The Senate resumed, as in committee of the whole, the bill, entitled "An act making appropriations for the support of government for the year one thousand eight hundred and eleven; and, having agreed to an amendment,

On motion, by Mr. Campbell,

It was agreed that the further consideration of the bill be postponed until to-morrow.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate of the United States:*

I transmit to the Senate a report of the Secretary of State, complying with their resolution of the 1st instant.

JAMES MADISON.

February 5, 1811.

The message and report were read.

On motion,

*Ordered*, That they be printed for the use of the Senate.

Mr. Cutts, from the committee, reported that they had laid before the President of the United States the enrolled bill, entitled "An act to change the name of Lewis Grant to that of Lewis Grant Davidson;" also, the enrolled bill, entitled "An act making appropriations for the support of the military establishment of the United States for the year one thousand eight hundred and eleven;" and that they had examined and found duly enrolled the bill, entitled "An act making appropriations for the support of the navy of the United States for the year one thousand eight hundred and eleven;" and the bill, entitled "An act for the relief of William Mills."

The Senate resumed, as in committee of the whole, the bill making further provisions for the disposal of the sections of land, heretofore reserved for the future disposition of Congress, and for other purposes;" and, after progress,

On motion,

It was agreed that the consideration thereof be further postponed until to-morrow.

The bill, entitled "An act providing for the final adjustment of claims to lands, and for the sale of public land in the territories of Orleans and Louisiana," was read the third time as amended.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

THURSDAY, FEBRUARY 7, 1811.

The bill to amend and continue in force an act, entitled "An act to incorporate the subscribers to the Bank of the United States," passed on the twenty-fifth day of February, one thousand seven hundred and ninety-one, was read the second time.

On motion, by Mr. Crawford,

It was agreed that the further consideration thereof be made the order of the day for Monday next.

The bill to authorize the payment of certain certificates, credits, and pensions, and for other purposes, was read the second time.

Mr. Anderson gave notice that to-morrow he should ask leave to bring in a bill to extend the right of suffrage in the Indiana territory, and for other purposes.

The bill authorizing the sale and grant of a certain quantity of public land to the Havre de Grace Bridge Company, was read the second time.

Mr. Campbell, from the committee to whom was referred the bill, entitled "An act providing for the removal of the land office established at Nashville, in the state of Tennessee, and Canton, in the state of Ohio; and to authorize the register and receiver of public moneys to superintend the public sales of land in the district east of Pearl river," reported it with amendments; which were read.

The bill, entitled "An act for the relief of Richard Tervin, William Coleman, Edwin Lewis, Samuel Mims, Joseph Wilson, and the Baptist church at Salem meeting house, in the Mississippi territory," was read the second time.

On motion, by Mr. Gregg,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Gregg, Franklin, and Bradley, be the committee.

The bill, entitled "An act providing for the sale of a tract of land lying in the state of Tennessee, and a tract in the Indiana territory," was read the second time.

On motion, by Mr. Worthington,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Worthington, Campbell, and Franklin, be the committee.

The Senate resumed the third reading of the bill, entitled "An act to enable the people of the territory of Orleans to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes."

On the question, Shall this bill pass as amended?

It was determined in the affirmative, { Yeas . . . . . 22,  
{ Nays . . . . . 10,

On motion,

The yeas and nays having been required by one-fifth of the Senators present, Those who voted in the affirmative, are,

Messrs. Anderson, Brent, Campbell, Clay, Condit, Crawford, Cutts, Franklin, Gail- lard, Gregg, Lambert, Leib, Mathewson, Pope, Robinson, Smith, of Maryland, Smith, of New York, Tait, Taylor, Turner, Whiteside, and Worthington.

Those who voted in the negative, are,

Messrs. Bayard, Champlin, Dana, German, Gilman, Goodrich, Horsey, Lloyd, Pick- ering, and Reed.

So it was

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representa- tives in the amendments.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives concur in the amendments of the Senate to the bill, entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands in the territories of Orleans and Louisiana." The Speaker of the House of Representatives having signed two enrolled bills, I am di- rected to bring them to the Senate for the signature of their President. And he with- drew.

The President signed the two enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The Senate resumed, as in committee of the whole, the bill, entitled "An act making appropriations for the support of government for the year one thousand eight hundred and eleven."

On motion,

It was agreed that the consideration thereof be further postponed until to-morrow.

The Senate resumed the consideration of the amendment of the House of Represen- tatives to the bill, entitled "An act making compensation to John Eugene Leitens- dorfer, for services rendered the United States in the war with Tripoli."

On motion, by Mr. Bradley,

*Resolved*, That they disagree thereto.

*Ordered* That the Secretary notify the House of Representatives accordingly.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate of the United States:*

I transmit to the Senate a report of the Secretary of the Treasury, complying with their resolution of the 21st January last.

JAMES MADISON.

February 7, 1811.

The message and report were read.

On motion,

*Ordered*, That they be printed for the use of the Senate.

The Senate resumed, as in committee of the whole, the bill making a further distribution of such laws of the United States as respect the public lands.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

Mr. Franklin, from the committee to whom was referred the bill, entitled "An act incorporating the Protestant Episcopal Church in the town of Alexandria, in the District of Columbia, reported it without amendment.

*Ordered*, That it pass to the third reading.

Mr. Cutts reported, from the committee, that they had laid before the President of the United States the enrolled bill, entitled "An act for the relief of William Mills;" also, the enrolled bill, entitled "An act making appropriations for the support of the navy of the United States for the year one thousand eight hundred and eleven."

On motion, by Mr. Franklin,

*Resolved*, That the President of the United States be requested to cause to be laid before the Senate such information as he may possess relative to the accounts of George W. Erving, for his services and compensation for attending the board of commissioners, established under the seventh article of the British treaty.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

FRIDAY, FEBRUARY 8, 1811.

Pursuant to notice given, Mr. Anderson asked and obtained leave to bring in a bill to extend the right of suffrage in the Indiana territory, and for other purposes; which was read.

*Ordered*, That it pass to the second reading.

Mr. Anderson, from the committee appointed on the subject, reported a bill for the relief of David Porter, a commander in the navy of the United States; which was read.

*Ordered*, That it pass to the second reading.

The Senate resumed, as in committee of the whole, the bill, entitled "An act providing for the removal of the land office established at Nashville, in the state of Tennessee, and Canton, in the state of Ohio; and to authorize the register and receiver of public moneys to superintend the public sales of land in the district east of Pearl river," together with the amendments reported thereto by the select committee; and having agreed thereto, the President reported the bill to the House accordingly.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

Mr. Cutts reported, from the committee, the bill making a further distribution of such laws of the United States as respect the public lands, correctly engrossed; and the bill was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

The Senate resumed, as in committee of the whole, the bill making further provision for the corps of engineers, together with the amendments reported thereto by the select committee; and having agreed to the amendments, the President reported the bill to the House accordingly.

On motion, by Mr. Leib,

To strike out, in section 5, line 2, after the word "buildings," the following words: "at such place as shall be designated by the President of the United States," for the purpose of inserting, in lieu thereof, the words "in Carlisle, in the state of Pennsylvania."

A division of the question was called for: and the question was taken on striking out,  
 And determined in the negative, { Yeas . . . . . 14,  
 Nays . . . . . 17.

On motion, by Mr. Leib,

The yeas and nays having been required by one-fifth of the Senators present,  
 Those who voted in the affirmative, are,  
 Messrs. Condit, German, Gilman, Goodrich, Gregg, Lambert, Leib, Lloyd, Mathew-  
 son, Pickering, Reed, Robinson, Smith, of Maryland, and Whiteside.

Those who voted in the negative, are,

Messrs. Anderson, Bayard, Bradley, Brent, Champlin, Clay, Crawford, Cutts, Frank-  
 lin, Gaillard, Giles, Horsey, Pope, Tait, Taylor, Turner, and Worthington.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

Mr. Cutts reported, from the committee, the bill last mentioned correctly engrossed.

The Senate resumed, as in committee of the whole, the bill to authorize the pay-  
 ment of certain certificates, credits, and pensions, and for other purposes.

On motion, by Mr. Bradley,

It was agreed that the consideration thereof be postponed and made the order of the  
 day for Monday next.

The bill, entitled "An act incorporating the Protestant Episcopal Church in the  
 town of Alexandria, in the District of Columbia," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concur-  
 rence of the Senate in this bill.

On motion, by Mr. Bradley,

*Resolved*, That a committee be appointed to inquire into the expediency of estab-  
 lishing an additional collection district on the northern boundaries of the United  
 States, with leave to report by bill or otherwise.

*Ordered*, That Messrs. Bradley, German, and Crawford, be the committee.

A message from the President of the United States, by Mr. Coles, his Secretary:

*Mr. President*: The President of the United States, on the 7th instant, approved and  
 signed the enrolled bill, entitled "An act for the relief of William Mills."

*Ordered*, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives recede from their amendment to the  
 bill, entitled "An act making compensation to John Eugene Leitensdorfer for services  
 rendered the United States in the war with Tripoli." The President of the United  
 States, on the 6th instant, approved and signed "An act to change the name of Lewis  
 Grant to that of Lewis Grant Davidson;" "An act making appropriations for the sup-  
 port of the military establishment of the United States for the year one thousand eight  
 hundred and eleven;" and, on the 7th instant, "An act making appropriations for the  
 support of the navy of the United States for the year one thousand eight hundred and  
 eleven." And he withdrew.

The Senate resumed, as in committee of the whole, the bill authorizing the sale and  
 grant of a certain quantity of public land to the Havre de Grace Bridge Company.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the bill for the relief of the col-  
 lectors of the ports of Norfolk, Baltimore, and Philadelphia.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the bill declaring the laws now  
 in force in the territory of Orleans, to extend to and to have full force and effect to  
 the river Perdido, pursuant to the treaty concluded at Paris on the 30th day of April,  
 1803, and for other purposes.

On motion, by Mr. Giles,

*Ordered*, That it be recommitted to the committee appointed the 8th of Decem-  
 ber on so much of the message of the President of the United States as relates to that  
 subject.

Mr. Brent submitted the following motion for consideration:

*Resolved*, That a committee be appointed to bring in a bill making compensation  
 to certain officers of the customs.

Mr. Bradley, from the committee appointed this day to consider the subject, report-  
 ed a bill to establish the districts of Memphreymagog, of Oswegatchie, and of the  
 White Mountains; and the bill was read.



A motion was made, by Mr. Anderson, to strike out the first section of the bill; and,

On motion, by Mr. Clay,

It was agreed that the question be taken by yeas and nays; and, after debate,

On motion, by Mr. Brent,

It was agreed that the further consideration of the bill be postponed until to-morrow.

Mr. Bayard, from the committee to whom was referred the bill in addition to an act, entitled "An act to amend the judicial system of the United States," reported it with an amendment; which was read and agreed to as in committee of the whole; and the President reported the bill to the House accordingly.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined, by unanimous consent, in the affirmative.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives have passed a bill, entitled "An act to authorize the election of sheriffs in the Indiana territory;" also, the bill, entitled "An act in addition to the act, entitled 'An act supplementary to the act concerning consuls and vice consuls, and for the further protection of American seamen,' in which bills they desire the concurrence of the Senate. They have passed the bill sent from the Senate, entitled "An act authorizing the discharge of Nathaniel F. Fosdick from his imprisonment." They have also passed the bill, entitled "An act to incorporate the subscribers to the Farmers' Bank of Alexandria," with amendments, in which they ask the concurrence of the Senate; the bill, entitled "An act to incorporate the Bank of Potomac," with amendments, in which they ask the concurrence of the Senate; the bill, entitled "An act to incorporate the Bank of Washington," with amendments, in which they ask the concurrence of the Senate; also, the bill, entitled "An act to incorporate the Union Bank of Georgetown," with amendments, in which they ask the concurrence of the Senate. The House of Representatives concur in all the amendments of the Senate to the bill, entitled "An act to enable the people of the territory of Orleans to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes," except the second, to which they do not agree. And he withdrew.

The Senate proceeded to consider the amendment to the last mentioned bill disagreed to by the House of Representatives; and

On motion, by Mr. Bayard,

The further consideration thereof was postponed until to-morrow.

The two last bills brought up for concurrence were read.

*Ordered,* That they severally pass to the second reading.

Mr. Cutts, from the committee, reported the bill in addition to an act, entitled "An act to amend the judicial system of the United States," correctly engrossed; and the bill was read the third time by unanimous consent.

On the question, Shall this bill pass?

It was determined in the affirmative, { Yeas . . . . . 23,  
{ Nays . . . . . 2.

On motion, by Mr. Reed,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bayard, Bradley, Campbell, Champlin, Clay, Condit, Crawford, Dana, Franklin, Gaillard, German, Giles, Gilman, Goodrich, Horsey, Leib, Lloyd, Pickering, Smith, of New York, Taylor, Turner, and Whiteside.

Those who voted in the negative, are,

Messrs. Reed and Worthington.

So it was

*Resolved,* That this bill pass, and that the title thereof be "An act in addition to an act, entitled 'An act to amend the judicial system of the United States.'"

*Ordered,* That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Pickering, from the committee to whom was recommitted the bill to enable the Georgetown Bridge Company to levy money for the object of its incorporation, reported it amended.

Mr. Crawford, from the committee to whom was recommitted the bill to authorize the payment of certain certificates, credits, and pensions, and for other purposes, asked leave to report a new bill; which was read.

*Ordered,* That it pass to the second reading.

Mr. Cutts reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act making compensation to John Eugene Leitensdorfer, for services rendered the United States in the war with Tripoli."

The President communicated a letter from the Governor of the state of Ohio, enclosing a resolution of that legislature, approving the amendment to the constitution of the United States respecting titles of nobility; which were read.

*Ordered*, That they be transmitted to the office of the Secretary for the Department of State.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate of the United States:*

I transmit to the Senate a report of the Secretary of the Treasury, complying with their resolution of the 7th instant.

JAMES MADISON.

February 11, 1811.

The message and report were read.

On motion,

*Ordered*, That they be printed for the use of the Senate.

Mr. Horsey, from the committee, reported correctly engrossed the bill authorizing the sale and grant of a certain quantity of public land to the Havre de Grace Bridge Company; the bill for the relief of the collectors of the ports of Norfolk, Baltimore, and Philadelphia; also, the amendments to the bill, entitled "An act providing for the removal of the land office established at Nashville, in the state of Tennessee, and Canton, in the state of Ohio, and to authorize the register and receiver of public moneys to superintend the public sales of land in the district east of Pearl river."

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

## TUESDAY, FEBRUARY 12, 1811.

Mr. Cutts reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act authorizing the discharge of Nathaniel F. Fosdick from his imprisonment."

Mr. Gregg, from the committee to whom was referred the bill, entitled "An act for the relief of Richard Tervin, William Coleman, Edwin Lewis, Samuel Mims, Joseph Wilson, and the Baptist church at Salem meeting-house, in the Mississippi territory," reported it without amendment.

On motion, by Mr. Gilman,

*Resolved*, That a committee be appointed to inquire into the expediency of opening another passage to the gallery, on the west side of the Senate chamber, and to propose such alterations as they may deem proper.

*Ordered*, That Messrs. Gilman, Gregg, and Dana, be the committee.

Mr. Dana, from the committee to whom was referred the bill for the benefit of seamen of the United States, reported it amended; and the amendments were read, and ordered to be printed for the use of the Senate.

Mr. Dana also communicated a letter to the committee, from the Secretary of the Department of State, on the subject of naturalized American seamen; which was read; and

*Ordered*, That it be printed for the use of the Senate.

The bill to authorize the payment of certain certificates, credits, and pensions, and for other purposes, was read the second time.

The bill, entitled "An act to authorize the election of sheriffs in the Indiana territory," was read the second time.

On motion, by Mr. Campbell,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Campbell, Franklin, and Leib, be the committee.

The bill, entitled "An act in addition to the act, entitled 'An act supplementary to the act concerning consuls and vice consuls,' and for the further protection of American seamen," was read the second time.

On motion, by Mr. Bradley,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Bradley, Gilman, and Brent, be the committee.

The Senate resumed the motion of the 8th instant, "That a committee be appointed to bring in a bill making compensation to certain officers of the customs;" and, on the question to agree thereto,

It was determined in the negative.

Mr. Taylor presented the memorial of Joseph Wheaton, praying remuneration for services rendered the United States in the Revolutionary war, and compensation for losses sustained therein; and the memorial was read.

On motion, by Mr. Taylor,

*Resolved*, That it be referred to a select committee, to consider and report thereon, by bill or otherwise.

*Ordered*, That Messrs. Taylor, Bradley, and Dana, be the committee.

The Senate resumed the consideration of their amendment, disagreed to by the House of Representatives, to the bill, entitled "An act to enable the people of the territory of Orleans to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states; and for other purposes."

On motion, by Mr. Tait,

That the Senate recede from the said amendment:

It was determined in the negative, { Yeas . . . . . 11,  
{ Nays . . . . . 19.

On motion, by Mr. Reed,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Campbell, Condit, Crawford, Franklin, Lambert, Mathewson, Robinson, Smith, of Maryland, Tait, and Whiteside.

Those who voted in the negative, are,

Messrs. Bayard, Bradley, Brent, Champlin, Dana, Gaillard, Giles, Gilman, Goodrich, Gregg, Horsey, Leib, Lloyd, Pickering, Reed, Smith, of New York, Taylor, Turner, and Worthington.

On motion, by Mr. Tait,

*Resolved*, That the Senate insist on their amendment to the said bill.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The engrossed bill authorizing the sale and grant of a certain quantity of public land to the Havre de Grace Bridge Company was read the third time and the blanks filled.

On motion, by Mr. Worthington,

That the further consideration of the bill be postponed to the first Monday in December next:

It was determined in the negative.

On the question, Shall this bill pass?

It was determined in the negative, { Yeas . . . . . 13,  
{ Nays . . . . . 15.

On motion, by Mr. Franklin,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bayard, Giles, Goodrich, Gregg, Horsey, Leib, Pickering, Reed, Smith, of Maryland, Smith, of New York, Whiteside, and Worthington.

Those who voted in the negative, are,

Messrs. Bradley, Champlin, Condit, Crawford, Cutts, Franklin, Gaillard, Gilman, Lambert, Lloyd, Mathewson, Robinson, Tait, Taylor, and Turner.

Mr. Cutts, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act incorporating the Protestant Episcopal Church in the town of Alexandria, in the District of Columbia;" the bill, entitled "An act concerning the Bank of Alexandria;" also, the bill, entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands, in the territories of Orleans and Louisiana."

The bill, entitled "An act providing for the removal of the land office established at Nashville, in the state of Tennessee, and Canton, in the state of Ohio, and to authorize the register and receiver of the public moneys to superintend the public sales of land in the district east of Pearl river," was read the third time as amended.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

The Senate proceeded to consider the amendments of the House of Representatives to the bill, entitled "An act to incorporate the Bank of Potomac;" and

*Resolved*, That they concur therein.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The Senate proceeded to consider the amendments of the House of Representatives to the bill, entitled "An act to incorporate the Bank of Washington."

Whereupon,

*Resolved*, That they concur therein.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The Senate proceeded to consider the amendments of the House of Representatives to the bill, entitled "An act to incorporate the subscribers to the Farmers' Bank of Alexandria."

Whereupon,

*Resolved*, That they concur therein.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The Senate proceeded to consider the amendments of the House of Representatives to the bill, entitled "An act to incorporate the Union Bank of Georgetown."

On motion, by Mr. Brent,

*Resolved*, That they be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Brent, Pope, and Crawford, be the committee.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have postponed, indefinitely, the bill sent from the Senate, entitled "An act in addition to an act, entitled 'An act to amend the judicial system of the United States.'" The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the enrolled bill, entitled "An act authorizing the discharge of Nathaniel F. Fosdick, from his imprisonment;" also, the enrolled bill, entitled "An act making compensation to John Eugene Leitensdorfer, for services rendered the United States in the war with Tripoli;" and they were delivered to the committee, to be laid before the President of the United States.

Agreeably to the order of the day, the Senate resumed, as in committee of the whole, the bill to amend and continue in force an act, entitled "An act to incorporate the subscribers to the Bank of the United States," passed on the 25th day of February, 1791; and, after debate,

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### WEDNESDAY, FEBRUARY 13, 1811.

The credentials of the Honorable Nicholas Gilman, appointed a Senator by the legislature of the state of New Hampshire, for the term of six years, commencing on the 4th day of March next, were read.

*Ordered*, That they lie on file.

Mr. Bradley, from the committee to whom was referred, on the 21st January, the petition of Moses Austin and John R. Jones, made report.

Whereupon,

*Resolved*, That the further consideration of the petition be postponed to the next session of Congress.

Mr. Worthington, from the committee to whom was referred the bill, entitled "An act providing for the sale of a tract of land lying in the state of Tennessee, and a tract in the Indiana territory," reported it without amendment.

Mr. Worthington, from the committee to whom was referred the bill to extend the right of suffrage in the Indiana territory, and for other purposes, reported it without amendment.

The Senate resumed, as in committee of the whole, the bill, entitled "An act making appropriations for the support of government for the year eighteen hundred and eleven;" and the bill having been amended, the President reported it to the House accordingly.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed the bill sent from the Senate, entitled "An act making a further distribution of such laws of the United States as respect the public lands," with amendments; in which they desire the concurrence of the Senate. They have passed a bill, entitled "An act for the relief of Peter Audrain;" also, a bill, entitled "An act establishing navy hospitals;" in which bills they desire the concurrence of the Senate. The Speaker of the House of Representatives having signed three enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the three enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The two bills last brought up for concurrence were read.

*Ordered*, That they severally pass to the second reading.

Agreeably to the order of the day, the Senate resumed, as in committee of the whole, the bill to amend and continue in force an act, entitled "An act to incorporate the subscribers to the Bank of the United States," passed on the twenty-fifth day of February, one thousand seven hundred and ninety-one. After debate,

On motion, by Mr. Smith, of Maryland,

The consideration thereof was further postponed, and made the order of the day for to-morrow.

Mr. Cutts reported, from the committee, that they had laid before the President of the United States the enrolled bill, entitled "An act authorizing the discharge of Nathaniel F. Fosdick from his imprisonment;" also, the enrolled bill, entitled "An act making compensation to John Eugene Leitensdorfer, for services rendered the United States in the war with Tripoli."

A message from the President of the United States, by Mr. Coles, his Secretary:

*Mr. President*: The President of the United States this day approved and signed "An act authorizing the discharge of Nathaniel F. Fosdick from his imprisonment."

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The President communicated a letter from Robert Beverly, stating that he had resigned his appointment to the office of President of the Union Bank of Georgetown; and the letter was read; and,

On motion,

*Ordered*, That it be referred to the committee to whom was recommitted the bill to incorporate the Union Bank of Georgetown.

The Senate resumed, as in committee of the whole, the bill to establish the districts of Memphreymagog, of Oswegatchie, and of the White Mountains.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

Mr. Gilman, from the committee appointed to consider the subject, made report.

Whereupon,

*Ordered*, That the Secretary of the Senate be directed to pay sixty-five dollars, out of the contingent fund of the Senate, for defraying the expense of opening a new passage to the gallery on the west side of the Senate chamber.

Mr. Worthington, from the committee appointed the 4th instant, to consider the subject, reported a bill in addition to the act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio; and the bill was read.

*Ordered*, That it pass to the second reading.

Mr. Cutts, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act to incorporate the Bank of Washington;" the bill, entitled "An act to incorporate the Bank of Potomac;" also, the bill, entitled "An act to incorporate the subscribers to the Farmers' Bank of Alexandria."

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

#### THURSDAY, FEBRUARY 14, 1811.

Mr. Cutts, from the committee, reported correctly engrossed the amendments to the bill, entitled "An act making appropriations for the support of government for the year 1811;" and the bill was read the third time as amended.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

Mr. Cutts, from the committee, also reported correctly engrossed the bill to establish the districts of Memphreymagog, of Oswegatchie, and of the White Mountains; and the bill was read the third time.

*Resolved*, That this bill pass, and that the title thereof be "An act to establish the districts of Memphreymagog, of Oswegatchie, and of the White Mountains."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

The bill in addition to the "Act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio;" was read the second time

The bill, entitled "An act for the relief of Peter Audrain," was read the second time.

On motion, by Mr. Bradley,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Bradley, German, and Worthington, be the committee.

The bill, entitled "An act establishing navy hospitals," was read the second time.

On motion, by Mr. Gregg,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Gregg, Lloyd, and Goodrich, be the committee.

The Senate proceeded to consider the amendments of the House of Representatives to the bill, entitled "An act making a further distribution of such laws of the United States as respect the public lands."

Whereupon,

*Resolved*, That they concur therein.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

A message from the President of the United States, by Mr. Coles, his Secretary:

*Mr. President*: The President of the United States hath approved and signed "An act making compensation to John Eugene Leitensdorfer, for services rendered the United States in the war with Tripoli."

*Ordered*, That the Secretary notify the House of Representatives accordingly.

Mr. Brent, from the committee to whom were referred the amendments of the House of Representatives to the bill, entitled "An act to incorporate the Union Bank of Georgetown," reported them without amendment.

On motion, by Mr. Brent,

That the bill and amendments be postponed indefinitely,

It was determined in the negative, { Yeas . . . . . 5,  
{ Nays . . . . . 22.

On motion, by Mr. Bradley,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradley, Brent, Clay, Lambert, and Whiteside.

Those who voted in the negative, are,

Messrs. Anderson, Champlin, Condit, Crawford, Franklin, Gaillard, German, Giles, Goodrich, Gregg, Horsey, Leib, Lloyd, Mathewson, Pickering, Reed, Smith, of Maryland, Smith, of New York, Tait, Taylor, Turner, and Worthington.

The Senate resumed the consideration of the amendments to the bill last mentioned; and

*Resolved*, That they concur therein.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives concur in the second amendment of the Senate to the bill, entitled "An act providing for the removal of the land office established at Nashville, in the state of Tennessee, and Canton, in the state of Ohio, and to authorize the register and receiver of public moneys to superintend the public sales of land in the district east of Pearl river," and disagree to the other amendments. They have passed a bill, entitled "An act authorizing the Secretary of State to cause a general index to the laws of the United States to be made, printed, and distributed;" also, a bill, entitled "An act for establishing trading-houses with the Indian tribes;" in which bills they desire the concurrence of the Senate. The Speaker of the House of Representatives having signed three enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the three enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

Mr. Cutts reported, from the committee, that they this day laid before the President of the United States the following enrolled bills: the bill, entitled "An act incorporating the Protestant Episcopal Church in the town of Alexandria, in the District of Columbia;" the bill, entitled "An act concerning the Bank of Alexandria;" the bill, entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands, in the territories of Orleans and Louisiana;" the bill, entitled "An act to incorporate the Bank of Washington;" the bill, entitled "An act to incorporate the subscribers to the Farmers' Bank of Alexandria;" also, the bill, entitled "An act to incorporate the Bank of Potomac."

Agreeably to the order of the day, the Senate resumed, as in committee of the whole, the bill to amend and continue in force an act, entitled "An act to incorporate

the subscribers to the Bank of the United States," passed on the 25th day of February 1791;" and, after debate,

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### FRIDAY, FEBRUARY 15, 1811.

The Senate proceeded to consider their amendments to the bill, entitled "An act providing for the removal of the land office established at Nashville, in the state of Tennessee, and Canton, in the state of Ohio, and to authorize the register and receiver of public moneys to superintend the public sales of land in the district east of Pearl river," disagreed to by the House of Representatives; and, after progress,

On motion, by Mr. Reed,

The further consideration thereof was postponed until to-morrow.

The two bills brought up yesterday for concurrence were read.

*Ordered*, That they severally pass to the second reading.

On motion, by Mr. Anderson,

The Senate resumed, as in committee of the whole, the bill for the relief of David Porter, a commander in the navy of the United States; and,

On motion,

It was agreed that the consideration thereof be postponed until to-morrow.

The Senate resumed, as in committee of the whole, the bill to enable the Georgetown Potomac Bridge Company to levy money for the object of its incorporation;" and the bill having been amended, the President reported it to the House accordingly.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

A message from the President of the United States, by Mr. Coles, his Secretary:

*Mr. President*: The President of the United States this day approved and signed "An act to incorporate the Bank of Washington."

*Ordered*, That the Secretary notify the House of Representatives accordingly.

Agreeably to the order of the day, the Senate resumed, as in committee of the whole, the bill to amend and continue in force an act, entitled "An act to incorporate the subscribers to the Bank of the United States," passed on the 25th day of February, 1791;" and, after debate,

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### SATURDAY, FEBRUARY 16, 1811.

Mr. Cutts, from the committee, reported the bill to enable the Georgetown Potomac Bridge Company to levy money for the object of its incorporation, correctly engrossed; and the bill was read the third time as amended.

*Resolved*, That this bill pass, and that the title thereof be "An act to enable the Georgetown Potomac Bridge Company to levy money for the object of its incorporation."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Cutts, from the committee, reported also that they had examined and found duly enrolled the bill, entitled "An act making a further distribution of such laws of the United States as respect the public lands;" and the bill, entitled "An act to incorporate the Union Bank of Georgetown."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The President of the United States this day approved and signed the "Act providing for the final adjustment of claims to land, and for the sale of the public lands, in the territories of Orleans and Louisiana." The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate, for the signature of their President. The House of Representatives recede from their disagreement to the second amendment of the Senate to the bill, entitled "An act to enable the people of the territory of Orleans to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes." And he withdrew.

The President signed the two enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The bill, entitled "An act authorizing the Secretary of State to cause a general index to the laws of the United States to be made, printed, and distributed," was read the second time.

On motion, by Mr. Franklin,

*Resolved*, That it be referred to a select committee to consider and report thereon.

*Ordered*, That Messrs. Franklin, Gilman, and Reed, be the committee.

The bill, entitled "An act for establishing trading houses with the Indian tribes," was read the second time.

On motion, by Mr. Smith, of Maryland,

*Resolved*, That it be referred to a select committee to consider and report thereon.

*Ordered*, That Messrs. Smith, of Maryland, Franklin, and Bradley, be the committee.

A message from the President of the United States, by Mr. Coles, his Secretary:

*Mr. President*: The President of the United States this day approved and signed the act to incorporate the bank of Potomac; also, the act to incorporate the subscribers to the Farmers' Bank of Alexandria.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate and House of Representatives of the United States*:

I now lay before Congress the treaty concluded on the 10th of November, 1808, on the part of the United States, with the Great and Little Osage tribes of Indians, with a view to such legal provisions as may be deemed proper for fulfilling its stipulations.

JAMES MADISON.

February 16, 1811.

The message was read.

*Ordered*, That it lie on the table.

The President communicated a letter from the Governor of the state of Ohio, enclosing a resolution of that legislature, approving the measures of the general government, which were read.

Agreeably to the order of the day, the Senate resumed, as in committee of the whole, the bill to amend and continue in force an act, entitled "An act to incorporate the subscribers to the Bank of the United States, passed on the 25th day of April, 1791;" and, after debate,

On motion,

The Senate adjourned to 11 o'clock on Monday morning; to which time the several orders of the day were postponed.

#### MONDAY, FEBRUARY 18, 1811.

Mr. Leib presented the memorial of Ralph Eddows, stating that he has a considerable quantity of merchandise imported in the ship George Washington, whereof Luderic Krumbhaar is owner, and which is now under detention, as having arrived subsequent to the revival of the non-intercourse law, and praying relief, for reasons stated at large in the memorial; which was read.

On motion, by Mr. Leib,

*Ordered*, That it be referred to the committee to whom was referred, on the 7th of December, so much of the message of the President of the United States as concerns the relations between the United States and France and Great Britain, to consider and report thereon by bill or otherwise.

On motion, by Mr. Anderson,

*Resolved*, That the bill for the relief of David Porter, a commander in the navy of the United States, be recommitted to a select committee, further to consider and report thereon.

*Ordered*, That Messrs. Anderson, Franklin, and Gregg, be the committee.

The Senate resumed the consideration of their amendments, disagreed to by the House of Representatives, to the bill, entitled "An act providing for the removal of the land office established at Nashville, in the state of Tennessee, and Canton, in the state of Ohio; and to authorize the register and receiver of public moneys to superintend the public sales of land in the district east of Pearl River."

On motion,

*Resolved*, That the Senate recede from their amendments, disagreed to by the House of Representatives, to the said bill.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

Mr. Franklin, from the committee to whom was referred the bill, entitled "An act

authorizing the Secretary of State to cause a general index to the laws of the United States to be made, printed, and distributed, reported it without amendment.

*A message from the House of Representatives, by Mr. Magruder, their Clerk:*

*Mr. President:* The House of Representatives have passed the bill sent from the Senate, entitled "An act to enable the Georgetown Potomac Bridge Company to levy money for the object of its incorporation." They agree to the amendments of the Senate to the bill, entitled "An act making appropriations for the support of government for the year one thousand eight hundred and eleven." And he withdrew.

Mr. Cutts, from the committee, reported that they had examined and found duly enrolled, the bill, entitled "An act to enable the people of the territory of Orleans to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes; also, the bill, entitled "An act making appropriations for the support of government for the year 1811." That they this day laid before the President of the United States the enrolled bill, entitled "An act making a further distribution of such laws of the United States as respect the public lands;" also, the enrolled bill, entitled "An act to incorporate the Union Bank of Georgetown."

The Senate resumed, as in committee of the whole, the bill, entitled "An act for the relief of Richard Tervin, William Coleman, Edwin Lewis, Samuel Mims, Joseph Wilson, and the Baptist church at Salem meeting house, in the Mississippi territory; and

*Ordered,* That it pass to the third reading.

Agreeably to the order of the day, the Senate resumed, as in committee of the whole, the bill to amend and continue in force an act, entitled "An act to incorporate the subscribers to the Bank of the United States, passed on the 25th day of February, 1791." After debate,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### TUESDAY, FEBRUARY 19, 1811.

The credentials of the Honorable John Condit, appointed a Senator by the legislature of the state of New Jersey, for the term of six years, commencing on the fourth day of March next; and of the Honorable William B. Giles, appointed a Senator by the legislature of the state of Virginia, for the term of six years, commencing on the fourth day of March next; were severally read.

*Ordered,* That they lie on file.

*A message from the House of Representatives, by Mr. Magruder, their Clerk:*

*Mr. President:* The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the two enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The Senate resumed, as in committee of the whole, the bill, entitled "An act authorizing the Secretary of State to cause a general index to the laws of the United States to be made, printed, and distributed;" and,

*Ordered,* That it pass to the third reading.

The Senate resumed, as in committee of the whole, the bill, entitled "An act providing for the sale of a tract of land lying in the state of Tennessee, and a tract in the Indiana territory;" and,

*Ordered,* That it pass to the third reading.

The Senate resumed, as in committee of the whole, the bill making further provisions for the disposal of the sections of land heretofore reserved for the future disposition of Congress, and for other purposes.

On motion,

To amend the bill, section 1, line 21, after the word "acre," and strike out as follows: "And that the whole of the purchase money shall be paid by the purchaser within three months from the day of sale, otherwise the sum deposited shall be forfeited, and the land revert to the United States, in the same manner as is provided by law in case the purchasers of public lands fail to complete their first instalments;"

It was determined in the affirmative, { Yeas . . . . . 22,  
{ Nays . . . . . 2.

On motion, by Mr. Reed,

The yeas and nays having been required by one-fifth of the Senators present, Those who voted in the affirmative, are, Messrs. Anderson, Bayard, Campbell, Condit, Crawford, Cutts, Franklin, Gaillard, Giles, Gilman, Goodrich, Gregg, Leib, Pickering, Reed, Smith, of Maryland, Smith, of New York, Tait, Taylor, Turner, Whiteside, and Worthington.

Those who voted in the negative, are,

Messrs. Bradley and Lambert

The bill having been amended, the President reported it to the House accordingly.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

Mr. Campbell, from the committee to whom was referred the bill, entitled "An act to authorize the election of sheriffs in the Indiana territory," reported it with an amendment; which was read.

A message from the President of the United States, by Mr. Coles, his Secretary:

*Mr. President:* The President of the United States, on the 18th instant, approved, and signed the "Act to incorporate the Union Bank of Georgetown;" also, the "Act making a further distribution of such laws of the United States as respect the public lands."

*Ordered,* That the Secretary notify the House of Representatives accordingly.

Agreeably to the order of the day, the Senate resumed, as in committee of the whole, the bill to amend and continue in force an act, entitled "An act to incorporate the subscribers to the Bank of the United States," passed on the 25th day of February, 1791. After debate,

On motion, by Mr. Anderson,

The consideration thereof was further postponed until to-morrow.

Mr. Cutts, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act to enable the Georgetown Potomac Bridge Company to levy money for the object of its incorporation."

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### WEDNESDAY, FEBRUARY 20, 1811.

The following written message yesterday received from the President of the United States, by Mr. Coles, his Secretary, was read:

*To the Senate and House of Representatives of the United States:*

I lay before Congress a return of the militia of the United States, as received by the Department of War, from the several states and territories.

JAMES MADISON.

February 19, 1811.

*Ordered,* That the message and documents lie on the table.

Mr. Cutts, from the committee, reported the bill making further provisions for the disposal of the sections of land heretofore reserved for the future disposition of Congress, and for other purposes, correctly engrossed; and the bill was read the third time as amended.

*Resolved,* That this bill pass, and that the title thereof be "An act making further provisions for the disposal of the sections of land heretofore reserved for the future disposition of Congress, and for other purposes."

*Ordered,* That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Gregg, from the committee to whom was referred the bill, entitled "An act establishing navy hospitals," reported it without amendment.

Mr. Bradley, from the committee to whom was referred the bill, entitled "An act for the relief of Peter Audrain," reported it without amendment.

The bill, entitled "An act for the relief of Richard Tervin, William Coleman, Edwin Lewis, Samuel Mims, Joseph Wilson, and the Baptist Church at Salem meeting house in the Mississippi territory," was read the third time.

*Resolved,* That this bill pass.

*Ordered,* That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill, entitled "An act providing for the sale of a tract of land lying in the state of Tennessee, and a tract in the Indiana territory," was read the third time.

*Resolved,* That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill, entitled "An act authorizing the Secretary of State to cause a general index to the laws of the United States to be made, printed, and distributed," was read the third time.

On motion, by Mr. Crawford,

**Ordered,** That it be postponed to the first Monday in December next.

**Ordered**, That the Secretary notify the House of Representatives accordingly.

Mr. Cutts, from the committee, reported that, on the 19th instant, they laid before the President of the United States the enrolled bill, entitled "An act making appropriations for the support of government for the year one thousand eight hundred and eleven;" also, the enrolled bill, entitled "An act to enable the people of the territory of Orleans to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes."

The President communicated a resolution of the legislature of the state of Kentucky, approving the amendment to the constitution respecting titles of nobility; which was read.

On motion, by Mr. Bradley,

*Ordered*, That it be transmitted to the office of the Secretary for the Department of State.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

Agreeably to the order of the day, the Senate resumed, as in committee of the whole, the bill to amend and continue in force an act, entitled "An act to incorporate the subscribers to the Bank of the United States," passed on the 25th day of February, 1791; and,

On the question, to strike out the first section of the bill, as follows: "Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled 'An act to incorporate the subscribers to the Bank of the United States,' passed the 25th day of February, 1791, be, and the same is hereby, continued in force until the 4th day of March, in the year of our Lord 1831, subject to the conditions and restrictions hereinafter specified;"

It was determined in the affirmative, { Yeas . . . . . 17,  
{ Nays . . . . . 17.

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Campbell, Clay, Cutts, Franklin, Gaillard, German, Giles, Gregg, Lambert, Leib, Mathewson, Reed, Robinson, Smith, of Maryland, Whiteside, and Worthington.

Those who voted in the negative, are,  
Messrs. Bayard, Bradley, Brent, Champlin, Condit, Crawford, Dana, Gilman, Goodrich, Horsey, Lloyd, Pickering, Pope, Smith, of New York, Tait, Taylor, and Turner.  
The Senate being equally divided, the President determined the question in the

native.

On motion,  
The Senate adjourned to 11 o'clock to-morrow morning; to which time the severa-

SENATE OF THE UNITED STATES, WASHINGTON, 1871.

A message from the House of Representatives, by Mr. Magruder, their Clerk:  
*Mr. President:* The House of Representatives have passed a bill, entitled "An act to erect a light-house on Boon Island in the state of Massachusetts, to place buoys off Cape Fear river, and to erect a beacon at New Inlet, in the state of North Carolina, and to place buoys at the entrance of the harbor of Edgartown, and to erect a column of stone on Cape Elizabeth, in the state of Massachusetts;" in which they desire the concurrence of the Senate. The President of the United States, on the 20th instant, approved and signed "An act to enable the people of the territory of Orleans to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes;" also, "An act

making appropriations for the support of government for the year one thousand eight hundred and eleven." And he withdrew.

The bill last brought up for concurrence was read.

*Ordered*, That it pass to the second reading.

The Senate resumed, as in committee of the whole, the bill to amend and continue in force an act, entitled "An act to incorporate the subscribers to the Bank of the United States," passed on the 25th day of February, 1791.

On motion, by Mr. Leib,

*Ordered*, That it be postponed to the first Monday in December next.

The Senate resumed, as in committee of the whole, the bill to extend the right of suffrage in the Indiana territory, and for other purposes: and the bill having been amended, the President reported it to the House accordingly.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the bill to authorize the payment of certain certificates, credits, and pensions, and for other purposes.

On motion,

It was agreed that it be made the order of the day for to-morrow.

The Senate resumed, as in committee of the whole, the bill in addition to the act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio; and the bill having been amended, the President reported it to the House accordingly.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the bill, entitled "An act establishing navy hospitals."

*Ordered*, That it pass to the third reading.

The Senate resumed, as in committee of the whole, the bill, entitled "An act to authorize the election of sheriffs in the Indiana territory," together with the amendment reported thereto by the select committee.

On motion,

It was agreed that the further consideration thereof be postponed until to-morrow.

Mr. Cutts reported, from the committee, that they had laid before the President of the United States the enrolled bill, entitled "An act to enable the Georgetown Potowmac Bridge Company to levy money for the object of its incorporation." He also reported that they had examined and found duly enrolled the following bills: the bill, entitled "An act providing for the removal of the land office established at Nashville, in the state of Tennessee, and Canton, in the state of Ohio; and to authorize the register and receiver of public moneys to superintend the public sales of land in the district east of Pearl river;" the bill, entitled "An act for the relief of Richard Tervin, William Coleman, Edwin Lewis, Samuel Mims, Joseph Wilson, and the Baptist church at Salem meeting house in the Mississippi territory;" and the bill, entitled "An act providing for the sale of a tract of land lying in the state of Tennessee, and a tract in the Indiana territory."

The Senate resumed, as in committee of the whole, the bill, entitled "An act for the relief of Peter Audrain;" and

*Ordered*, That it pass to the third reading.

Mr. Smith, of Maryland, gave notice that to-morrow he should ask leave to bring in a bill to repeal the 10th section of the act, entitled "An act to incorporate the subscribers to the Bank of the United States;" and to repeal the 3d section of the act, entitled "An act supplementary to the act, entitled 'An act to establish the compensation of the officers employed in the collection of the duties on impost and tonnage,' passed 10th May, 1800."

Mr. Bradley, from the committee to whom was referred the bill, entitled "An act in addition to the act, entitled 'An act concerning consuls and vice consuls,' and for the further protection of American seamen," reported it amended.

And the amendment was considered and agreed to, as in committee of the whole; and the President reported the bill to the House accordingly.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

Mr. Cutts gave notice that to-morrow he should ask leave to bring in a bill to amend the act, entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands, in the territories of Orleans and Louisiana."

After the consideration of the Executive business,



Those who voted in the affirmative, are,  
Messrs. Anderson, Bradley, Franklin, German, Gregg, Lambert, Smith, of New York,  
and Turner.

Those who voted in the negative, are,  
Messrs. Campbell, Clay, Condit, Crawford, Cutts, Dana, Gilman, Horsey, Leib, Lloyd,  
Pope, Reed, Smith, of Maryland, Tait, Taylor, Whiteside, and Worthington.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

A message from the President of the United States, by Mr. Coles, his Secretary:

*Mr. President:* The President of the United States this day approved and signed  
the "Act to enable the Georgetown Potomac Bridge Company to levy money for the  
object of its incorporation."

*Ordered,* That the Secretary notify the House of Representatives accordingly.

Agreeably to notice, Mr. Cutts asked and obtained leave to bring in a bill to amend  
the act, entitled "An act providing for the final adjustment of claims to lands, and for  
the sale of the public lands, in the territories of Orleans and Louisiana;" and the bill  
was read.

*Ordered,* That it pass to the second reading.

Agreeably to notice, Mr. Smith, of Maryland, asked and obtained leave to bring in  
a bill to repeal the 10th section of the act, entitled "An act to incorporate the sub-  
scribers to the Bank of the United States," and to repeal the third section of the act,  
entitled "An act supplementary to the act, entitled 'An act to establish the compen-  
sation of the officers employed in the collection of the duties on impost and tonnage,'  
passed 10th May, 1800;" and the bill was read.

*Ordered,* That it pass to the second reading.

The Senate resumed, as in committee of the whole, the bill, entitled "An act to  
authorize the election of sheriffs in the Indiana territory;" together with the amend-  
ment reported thereto by the select committee; and, having agreed to the amendment,  
the President reported the bill to the House accordingly.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

The President communicated a report of the Secretary of the Navy on the practical  
use of the torpedo, or submarine explosion; and the report and documents therein re-  
ferred to were read.

*Ordered,* That they lie on the table.

The Vice President notified the Senate that he should be absent, after this day, for  
the remainder of the session.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several  
orders of the day were postponed.

## SATURDAY, FEBRUARY 23, 1811.

The Vice President being absent, the Senate proceeded to the election of a Presi-  
dent pro tempore, as the constitution provides; and the Honorable John Pope was  
elected.

On motion, by Mr. Crawford,

*Ordered,* That the Secretary wait on the President of the United States, and ac-  
quaint him that the Senate have, in the absence of the Vice President, elected the  
Honorable John Pope President of the Senate pro tempore.

On motion, by Mr. Crawford,

*Ordered,* That the Secretary make a like communication to the House of Repre-  
sentatives.

The credentials of the Honorable John Taylor, appointed a Senator by the legisla-  
ture of the state of South Carolina, for the term of six years, commencing on the 4th  
day of March next, were read.

*Ordered,* That they lie on file.

The bill to repeal the 10th section of the act, entitled "An act to incorporate the sub-  
scribers to the Bank of the United States," and the third section of the act, entitled  
"An act supplementary to an act, entitled 'An act to establish the compensation of  
the officers employed in the collection of the duties on imposts and tonnage,'" was read  
the second time.

On motion, by Mr. Smith, of Maryland,

*Resolved,* That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Smith, of Maryland, Franklin, and Anderson, be the committee.

The bill to amend an act, entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands, in the territories of Orleans and Louisiana," was read the second time.

On motion, by Mr. Bradley,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Bradley, Campbell, and Franklin, be the committee.

On motion, by Mr. Brent,

That the memorial of Richard Bland Lee, on the subject of the damages he hath sustained from the troops of the United States, when stationed at Harper's Ferry, and otherwise, together with the accompanying documents, be referred to the Secretary of War:

It was determined in the negative.

The President communicated a report of the Secretary for the Department of Treasury, with a statement of the emoluments of the officers employed in the collection of the customs for the year 1810; which were read, and

*Ordered*, That they lie on the table.

Mr. Smith, of Maryland, from the committee to whom was referred the bill, entitled "An act for establishing trading houses with the Indian tribes," reported the bill amended.

Mr. Cutts reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act for the relief of Peter Audrain;" also, the bill, entitled "An act establishing navy hospitals."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the two enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

Mr. Cutts, from the committee, reported the amendment to the bill, entitled "An act to authorize the election of sheriffs in the Indiana territory," correctly engrossed; and the bill was read the third time as amended.

On motion, by Mr. Giles,

That it be postponed to the first Monday in December next:

It was determined in the negative, { Yeas . . . . . 13,  
Nays . . . . . 14.

On motion, by Mr. Anderson,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradley, Brent, Clay, Condit, Giles, Goodrich, Lloyd, Pickering, Pope, Smith, of New York, Tait, Taylor, and Turner.

Those who voted in the negative, are,

Messrs. Anderson, Campbell, Franklin, Gaillard, German, Gregg, Lambert, Leib, Mathewson, Reed, Robinson, Smith, of Maryland, Whiteside, and Worthington.

On the question, Shall this bill pass?

It was determined in the negative, { Yeas . . . . . 13,  
Nays . . . . . 14.

On motion, by Mr. Reed,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Campbell, Franklin, Gaillard, German, Gregg, Lambert, Leib, Mathewson, Robinson, Smith, of Maryland, Whiteside, and Worthington.

Those who voted in the negative, are,

Messrs. Bradley, Brent, Clay, Condit, Giles, Goodrich, Lloyd, Pickering, Pope, Reed, Smith, of New York, Tait, Taylor, and Turner.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The bill, entitled "An act incorporating the Protestant Episcopal Church, in the town of Alexandria, in the District of Columbia," which passed the two Houses of Congress, and was presented to the President of the United States for his approbation and signature, and returned by him, on the 21st instant, to the House of Representatives, in which-House it originated, with the following objections:

"Because the bill exceeds the rightful authority to which governments are limited by the essential distinction between civil and religious functions, and violates, in particular, the article of the constitution of the United States which declares that "Congress shall make no law respecting a religious establishment." The bill enacts into, and establishes by, law sundry rules and proceedings relative purely to the organization and polity of the church incorporated, and comprehending even the election and removal of a minister of the same; so that no change could be made therein by the particular society, or by the general church of which it is a member, and whose authority it recognizes. This particular church, therefore, would so far be a religious establishment by law; a legal force and sanction being given to certain articles in its constitution and administration. Nor can it be considered that the articles thus established are to be taken as the descriptive criteria only of the corporate identity of the society; inasmuch as this identity must depend on other characteristics; as the regulations established are generally unessential and alterable, according to the principles and canons by which churches of that denomination govern themselves; and, as the injunctions and prohibitions contained in the regulations would be enforced by the penal consequences applicable to a violation of them according to the local law.

"Because the bill vests in the said incorporated church an authority to provide for the support of the poor, and the education of poor children of the same; an authority which, being altogether superfluous if the provision is to be the result of pious charity, would be a precedent for giving to religious societies, as such, a legal agency in carrying into effect a public and civil duty."

And that, upon a reconsideration of the bill, two thirds of the House of Representatives did not agree to pass the same. And he withdrew.

Mr. Cutts, from the committee, reported the bill to authorize the payment of certain certificates, credits, and pensions, and for other purposes," correctly engrossed; and,

On motion, by Mr. Bradley,

It was agreed that it be postponed to, and made the order of the day for, Monday next.

Mr. Giles submitted the resolutions of the legislature of the state of Virginia, instructing their Senators, and requesting their delegates, to use their best efforts to obtain from Congress an act authorizing the officers and soldiers of the Virginia line on state establishment, their heirs or assigns, to locate the warrants which they may hold for lands granted for military services, on certain waste and unappropriated lands; which were read.

*Ordered*, That they lie on the table.

The Senate resumed, as in committee of the whole, the bill for the relief of the collectors of the ports of Norfolk, Baltimore, and Philadelphia; and

On motion, by Mr. Reed,

The consideration thereof was further postponed until Monday next.

Mr. Leib submitted the following motion for consideration:

*Resolved*, That the Secretary of the Senate pay, out of the contingent fund, the sum of —— dollars to Henry Miller, William Fishburn, and Tobias Simpson, each, for extra services during the present session.

Mr. Gregg, from the committee to whom was referred, on the 4th instant, the memorial of the clergy resident in the city of Philadelphia, made report.

Whereupon,

*Resolved*, That the further consideration thereof be postponed to the first Monday in December next.

On request,

Mr. Giles had leave of absence for the remainder of the session, after the 24th inst.

Mr. Cutts reported, from the committee, that they this day laid before the President of the United States the following enrolled bills: The bill, entitled "An act providing for the removal of the land office established at Nashville, in the state of Tennessee, and Canton, in the state of Ohio; and to authorize the register and receiver of public moneys to superintend the public sales of land in the district east of Pearl river;" the bill, entitled "An act for the relief of Richard Tervin, William Coleman, Edwin Lewis, Samuel Mims, Joseph Wilson, and the Baptist church at Salem meeting-house, in the Mississippi territory;" and the bill, entitled "An act providing for the sale of a tract of land lying in the state of Tennessee, and a tract in the Indiana territory."

Mr. Bradley, from the committee to whom was referred the bill to amend an act, entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands, in the territories of Orleans and Louisiana, passed on the 31st day of

December, 1810," reported it amended; and the amendments were considered as in committee of the whole, and agreed to by unanimous consent; and

The President reported the bill to the House accordingly.

On the question, Shall this bill be engrossed and read a third time as amended? It was determined in the affirmative.

On motion,

The Senate adjourned to 11 o'clock on Monday morning; to which time the several orders of the day were postponed.

MONDAY, FEBRUARY 25, 1811.

The President communicated a report from the Secretary for the Department of War, containing an account of the expenses of the national armories at Springfield and Harper's Ferry, together with a return of the arms made and repaired at each during the year 1810, made in obedience to the 5th section of an act, entitled "An act to provide for the erecting and repairing of arsenals and magazines, and for other purposes;" and the report was read.

*Ordered*, That it lie on the table.

The resolution to authorize the Secretary of the Senate to pay, out of the contingent fund of the Senate, to Henry Miller and others — dollars each, was read the second time.

The Senate resumed, as in committee of the whole, the bill for the benefit of the seamen of the United States, together with the amendments reported thereto by the select committee; and, after debate,

On motion, by Mr. Lloyd,

*Ordered*, That the further consideration thereof be postponed until the next session of Congress.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives concur in the amendments of the Senate to the bill, entitled "An act in addition to the act, entitled 'An act supplementary to the act concerning consuls and vice consuls, and for the further protection of American seamen.'" And he withdrew.

Mr. Leib presented the memorial of the stockholders of the Bank of the United States, praying an extension of their charter, so far as to enable them to settle the accounts of the bank, for reasons therein stated; and the memorial was read.

On motion, by Mr. Leib,

*Resolved*, That it be referred to a select committee, to consist of five members, to consider and report thereon.

*Ordered*, That Messrs. Clay, Franklin, Leib, Anderson, and Bayard, be the committee.

Mr. Gilman, from the committee, reported the bill to amend an act, entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands, in the territories of Orleans and Louisiana," correctly engrossed; and the bill was read the third time as amended.

*Resolved*, That this bill pass, and that the title thereof be "An act providing for the final adjustment of claims to lands, and for the sale of the public lands, in the territories of Orleans and Louisiana; and to repeal the act passed for the same purpose, and approved February 16th, 1811."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Smith, of Maryland, presented the petition of William Lorman and others, citizens of the United States, and residents in the city of Baltimore, stating that they, together with several others, resident merchants in Philadelphia, are severally owners of the ship Fair American and her cargo, arrived a few days since in the port of Baltimore from Calcutta, and that the said cargo is refused entry by the collector of the customs, on an alleged violation of the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes;" and praying relief, for reasons stated at large in the petition, which was read.

*Ordered*, That it lie on the table.

The engrossed bill to authorize the payment of certain certificates, credits, and pensions, and for other purposes, was read the third time.

On the question, Shall this bill pass?

It was determined in the affirmative, { Yeas . . . . . 14,  
{ Nays . . . . . 12:

On motion, by Mr. Franklin,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Clay, Condit, Crawford, Gilman, Goodrich, Lloyd, Pickering, Pope, Reed, Smith, of Maryland, Tait, Taylor, and Worthington.

Those who voted in the negative, are,

Messrs. Anderson, Bradley, Cutts, Franklin, German, Gregg, Lambert, Leib, Mathewson, Smith, of New York, Turner, and Whiteside.

So it was

*Resolved*, That this bill pass, and that the title thereof be "An act to authorize the payment of certain certificates, credits, and pensions, and for other purposes."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

On motion, by Mr. Smith, of Maryland,

*Resolved*, That the bill for the relief of the collectors of the ports of Norfolk, Baltimore, and Philadelphia, be recommitted to a select committee, further to consider and report thereon.

*Ordered*, That Messrs. Smith, of Maryland, Bradley, and Mathewson, be the committee.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### TUESDAY, FEBRUARY 26, 1811.

The Senate resumed, as in committee of the whole, the bill, entitled "An act for establishing trading houses with the Indian tribes," together with the amendments reported thereto by the select committee; and, having agreed to the amendments and further amended the bill, the President reported it to the House accordingly.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

Mr. Cutts reported, from the committee, that, on the 25th instant, they laid before the President of the United States the enrolled bill, entitled "An act for the relief of Peter Audrain;" also, the enrolled bill, entitled "An act establishing navy hospitals;" and that they had examined and found duly enrolled the bill, entitled "An act in addition to the act, entitled 'An act supplementary to the act concerning consuls and vice consuls,' and for the further protection of American seamen."

The Senate resumed the resolution to authorize the Secretary of the Senate to pay, out of the contingent fund of the Senate, to Henry Miller and others, — dollars for extra services during the present session.

On the question, Shall this resolution be engrossed and read a third time?

It was determined in the affirmative.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### WEDNESDAY, FEBRUARY 27, 1811.

Mr. Cutts, from the committee, reported the amendments to the bill, entitled "An act for establishing trading houses with the Indian tribes," correctly engrossed; and the bill was read the third time as amended.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The President of the United States, on the 25th instant, approved and signed "An act providing for the sale of a tract of land lying in the state of Tennessee, and a tract in the Indiana territory;" also, "An act providing for the removal of the land office established at Nashville, in the state of Tennessee, and Canton, in the state of Ohio; and to authorize the register and receiver of public moneys to superintend the public sales of land in the district east of Pearl river;" also, on the 26th instant, "An act for the relief of Peter Audrain," and "An act establishing navy hospitals." The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

Mr. Bradley gave notice that to-morrow he should ask leave to bring in a bill to fix the time for the next meeting of Congress.

The resolution submitted on the 23d instant, was read the third time and passed, as follows:

*Resolved*, That the Secretary of the Senate pay, out of the contingent fund, the sum of fifty dollars to Henry Miller, William Fishburn, and Tobias Simpson, each, for extra services during the present session.

Mr. Gregg submitted the following motion for consideration:

*Resolved*, That the Secretary of the Senate be directed to deliver to Caleb Boyle the portraits of the late king and queen of France, which were some time since kept in the Senate chamber, and which are now in one of the committee rooms, to be kept by him until the Senate direct otherwise; taking, at the time of delivery, his obligation to return them when demanded.

Mr. Lloyd, from the committee to whom was referred the bill, entitled "An act to erect a light-house on Boon Island, in the state of Massachusetts, to place buoys off Cape Fear river, and to erect a beacon at New Inlet, in the state of North Carolina, and to place buoys at the entrance of the harbor of Edgartown, and to erect a column of stone on Cape Elizabeth, in the state of Massachusetts," reported it with amendments; which were read and considered as in committee of the whole, and agreed to; and the President reported the bill to the House accordingly.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

Mr. Horsey, from the committee, reported the amendments to the last mentioned bill correctly engrossed, and the bill was read the third time as amended, by unanimous consent.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

Mr. Crawford, from the committee to whom was referred, on the 10th December, so much of the message of the President of the United States as relates to the occupation of West Florida, reported a bill authorizing the President of the United States to accept the service of a number of volunteer companies, not exceeding fifty thousand men; and the bill was read.

*Ordered*, That it pass to the second reading.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### THURSDAY, FEBRUARY 28, 1811.

Mr. Cutts reported, from the committee, that they had laid before the President of the United States the enrolled bill, entitled "An act in addition to the act, entitled 'An act supplementary to the act concerning consuls and vice consuls,' and for the further protection of American seamen."

The Senate resumed the motion submitted yesterday respecting the portraits of the late king and queen of France.

On the question to agree thereto,

It was determined in the negative.

Mr. Smith, of Maryland, from the committee to whom was referred, on the 27th December, the memorial of Thomas Corcoran, and others, citizens of Georgetown, in the District of Columbia, made report.

Whereupon,

*Resolved*, That the committee be discharged from the further consideration of the subject.

Mr. Leib, from the committee to whom was referred, on the 14th December last, the report of the Secretary for the Department of War, on the discipline of the militia of the United States, made report.

Whereupon,

*Resolved*, That the committee be discharged from the further consideration of the subject.

On motion, by Mr. Smith, of Maryland,

*Ordered*, That the Secretary of the Senate return the documents accompanying the report of the Secretary of War of the 14th December last, to the War Office.

Mr. Worthington presented the memorial of Joseph Gordon, and others, praying an alteration in the laws providing for the sales of the lands of the United States, as mentioned in the memorial; which was read.

*Ordered*, That it be referred to Messrs. Worthington, Pope, and Bradley, the committee appointed on the subject on the 14th January last.

Agreeably to notice, Mr. Bradley asked and obtained leave to bring in a bill altering the time for the next meeting of Congress; and the bill was read.

*Ordered*, That it pass to the second reading.

The bill authorizing the President of the United States to accept the service of a number of volunteer companies, not exceeding fifty thousand men, was read the second time, and considered as in committee of the whole.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act supplementary to the act, entitled 'An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes,'" in which they desire the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

*Ordered*, That it pass to the second reading.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate and House of Representatives of the United States*:

I transmit, and recommend to the attention of Congress, a report of the Secretary of State relative to deficiencies in the returns of the census.

JAMES MADISON.

February 28, 1811.

The message and report were read.

On motion, by Mr. Whiteside,

*Resolved*, That they be referred to a select committee, to consider and report thereon by bill or otherwise.

*Ordered*, That Messrs. Whiteside, Taylor, and Brent, be the committee.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

FRIDAY, MARCH 1, 1811.

The bill, entitled "An act supplementary to the act, entitled 'An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes,'" was read the second time.

On motion, by Mr. Lloyd,

That it be referred to a select committee, to consider and report thereon,

It was determined in the negative.

Mr. German presented the memorial of Thompson and Edgar, and others, merchants of the city of New York, stating that they are owners and consignees of property to the value of not less than one million and a half of dollars, which has arrived in that port since the 2d of February, and that the collector has refused to permit the said property to be entered at the custom house, on an alleged violation of the non-intercourse laws; wherefore the memorialists pray relief; and the memorial was read.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The President of the United States this day approved and signed "An act in addition to the act entitled 'An act supplementary to the act concerning consuls and vice consuls,' and for the further protection of American seamen." The House of Representatives concur in the amendments of the Senate to the bill, entitled "An act for establishing trading houses with the Indian tribes." And he withdrew.

Mr. Cutts, from the committee, reported the bill authorizing the President of the United States to accept the service of a number of volunteer companies, not exceeding fifty thousand men, correctly engrossed; and the bill was read the third time.

*Resolved*, That this bill pass, and that the title thereof be "An act authorizing the President of the United States to accept the service of a number of volunteer companies, not exceeding fifty thousand men."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

The bill altering the time for the next meeting of Congress was read the second time.

On motion, by Mr. Bradley,

To fill the blanks with the words "third" and "May;" so that the meeting be on the third Monday of May next:

It was determined in the negative, { Yeas . . . . . 10,  
{ Nays . . . . . 17.

On motion, by Mr. Pickering,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradley, Condit, German, Gregg, Lambert, Leib, Reed, Robinson, Tait, and Whiteside.

Those who voted in the negative, are,

Messrs. Bayard, Campbell, Clay, Franklin, Gaillard, Gilman, Goodrich, Horsey, Lloyd, Mathewson, Pickering, Pope, Smith, of Maryland, Smith, of New York, Taylor, Turner, and Worthington.

On motion, by Mr. Turner,

*Ordered*, That the further consideration of the bill be postponed to the first Monday in December next.

The credentials of the Honorable Jenkin Whiteside, appointed a Senator by the legislature of the state of Tennessee, for the term of six years, commencing on the fifth day of this month, were read.

*Ordered*, That they lie on file.

Mr. Cutts, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act for establishing trading houses with the Indian tribes."

The bill, entitled "An act supplementary to the act, entitled 'An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes,'" was resumed as in committee of the whole.

On motion, by Mr. Lloyd,

To amend the bill, by adding, at the end of the first section, the following words: "Nor shall any merchandise be liable to forfeiture which may be imported into the United States from any port of Great Britain or her dependencies, on or before the first day of May next ensuing; which merchandise shall be conclusively proved, to the satisfaction of the Secretary of the Treasury, to have been actually purchased by, and exclusively to belong to, a citizen or citizens of the United States, prior to the 2d of February last;"

It was determined in the negative, { Yeas . . . . . 7,  
{ Nays . . . . . 19.

On motion, by Mr. Lloyd,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Bradley, Goodrich, Horsey, Lloyd, Pickering, and Reed.

Those who voted in the negative, are,

Messrs. Campbell, Clay, Condit, Cutts, Franklin, Gaillard, German, Gilman, Gregg, Lambert, Leib, Pope, Robinson, Smith, of Maryland, Smith, of New York, Tait, Taylor, Turner, and Worthington.

On motion, by Mr. Pickering,

To strike out of section 2, line 5, the following words: "And such proclamation shall be admitted as evidence, and no other evidence shall be admitted of such revocation or modification, in any suit or prosecution which may be instituted under the fourth section of the act to which this act is a supplement;"

It was determined in the negative, { Yeas . . . . . 7,  
{ Nays . . . . . 21.

On motion, by Mr. Pickering,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Bradley, Goodrich, Horsey, Lloyd, Pickering, and Reed.

Those who voted in the negative, are,

Messrs. Brent, Campbell, Clay, Condit, Cutts, Franklin, Gaillard, German, Gilman, Gregg, Lambert, Leib, Mathewson, Pope, Robinson, Smith, of Maryland, Smith of New York, Tait, Taylor, Turner, and Worthington.

On motion, by Mr. Lloyd,

To add to the end of the bill, the following words: "Nor the proceeds of shipments wholly owned by a citizen or citizens of the United States, which shipments had been made to the British possessions in the West Indies, prior to the 2d of February last, and the proceeds whereof may be imported into the United States on or before the first of May next, ensuing:"

It was determined in the negative, { Yeas . . . . . 8,  
{ Nays . . . . . 20.

On motion, by Mr. Lloyd,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Bradley, Goodrich, Horsey, Lloyd, Pickering, Reed, and Turner.

Those who voted in the negative, are,

Messrs. Campbell, Clay, Condit, Cutts, Franklin, Gaillard, German, Gilman, Gregg, Lambert, Leib, Mathewson, Pope, Robinson, Smith, of Maryland, Smith, of New York, Tait, Taylor, Whiteside and Worthington.

On motion, by Mr. Bayard,

That the further consideration of the bill be postponed until to-morrow,

It was determined in the negative, { Yeas . . . . . 9,  
{ Nays . . . . . 19.

On motion, by Mr. Bayard,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Bradley, German, Goodrich, Horsey, Leib, Lloyd, Pickering, and Reed.

Those who voted in the negative, are,

Messrs. Brent, Campbell, Clay, Condit, Cutts, Franklin, Gaillard, Gilman, Lambert, Mathewson, Pope, Robinson, Smith, of Maryland, Smith, of New York, Tait, Taylor, Turner, Whiteside, and Worthington.

On the question, Shall this bill be read a third time?

It was determined in the affirmative, { Yeas . . . . . 20,  
{ Nays . . . . . 6,

On motion, by Mr. Lloyd,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Brent, Campbell, Clay, Condit, Cutts, Franklin, Gaillard, German, Gilman, Lambert, Mathewson, Pope, Robinson, Smith, of Maryland, Smith, of New York, Tait, Taylor, Turner, Whiteside, and Worthington.

Those who voted in the negative, are,

Messrs. Bayard, Bradley, Goodrich, Horsey, Lloyd, and Pickering.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives concur in the amendments of the Senate to the bill, entitled "An act to erect a light-house on Boon Island, in the state of Massachusetts, to place buoys off Cape Fear river, and to erect a beacon at New Inlet, in the state of North Carolina, and to place buoys at the entrance of the harbor of Edgartown, and to erect a column of stone on Cape Elizabeth, in the state of Massachusetts." And he withdrew.

Mr. Campbell gave notice that to-morrow he should ask leave to bring in a bill for the relief of Richard Terrin, William Coleman, Edwin Lewis, Samuel Mims, and Joseph Wilson, in the Mississippi territory.

The following motion, by Mr. Pickering, was submitted for consideration:

*Resolved*, That the injunction of secrecy on the papers communicated confidentially to the Senate, in the years 1803, and 1805, relative to Louisiana and West Florida, or any part thereof, so far as such papers respect the title or claim of the United States to those territories, be, and is hereby taken off.

After the consideration of the Executive business,

The Senate adjourned to six o'clock this evening; to which time the several orders of the day were postponed.

FRIDAY EVENING, 6 o'clock.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives have passed the bill sent from the Senate, entitled "An act to establish the districts of Memphreymagog, of Oswegatchie, and of the White Mountains."

They have also passed a bill, entitled "An act authorizing a loan of money for a

sum not exceeding five millions of dollars;" a bill, entitled "An act authorizing the issuing of debentures in certain cases;" a bill, entitled "An act for the relief of John Macnamara;" a bill, entitled "An act to annex a part of the state of New Jersey to the collection district of New York; to remove the office of collector of Niagara to Lewiston, to make Cape St. Vincent, in the district of Sacket's harbor, a port of delivery; and out of the districts of Miami and Mississippi to make two new districts, to be called the districts of Sandusky and Teche, and for other purposes;" a bill, entitled "An act declaring the consent of Congress to an act of the state of Georgia, passed the twelfth of December, one thousand eight hundred and four, establishing the fees of the harbor master and health officer of the ports of Savannah and St. Mary's;" and the bill, entitled "An act to extend the time for completing the third census or enumeration of the inhabitants of the United States;" in which bills they desire the concurrence of the Senate.

The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. And he withdrew.

On motion, The bills last brought up for concurrence were read.

*Ordered*, That they severally pass to the second reading.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

On motion,

The bill, entitled "An act authorizing a loan of money for a sum not exceeding five millions of dollars," was read the second time by unanimous consent.

On motion, by Mr. Lloyd,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Lloyd, Franklin, and Smith, of Maryland, be the committee.

On motion, by Mr. Leib,

The bill, entitled "An act to extend the time for completing the third census or enumeration of the inhabitants of the United States," was read the second time by unanimous consent; and,

On motion, by Mr. Worthington,

The bill last mentioned was read the third time by unanimous consent.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

On motion, by Mr. Tait,

The bill, entitled "An act declaring the consent of Congress to an act of the state of Georgia, passed the 12th of December, one thousand eight hundred and four, establishing the fees of the harbor master and health officer of the ports of Savannah and St. Mary's," was read the second time by unanimous consent; and,

On his motion,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Tait, Lloyd, and Smith, of Maryland, be the committee.

On motion, by Mr. German,

The bill, entitled "An act to annex a part of the state of New Jersey to the collection district of New York; to remove the office of collector of Niagara to Lewiston; to make Cape St. Vincent, in the district of Sacket's Harbor, a port of delivery; and out of the districts of Miami and Mississippi to make two new districts, to be called the districts of Sandusky and Teche, and for other purposes;" was read the second time by unanimous consent; and,

On his motion,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. German, Condit, and Bradley, be the committee.

Mr. Lloyd, from the committee to whom was referred the bill, entitled "An act authorizing a loan of money for a sum not exceeding five millions of dollars," reported the bill amended.

On motion, by Mr. Taylor,

*Resolved, by unanimous consent*, That the bill, entitled "An act for the relief of John Macnamara," be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Taylor, Bradley, and Turner, be the committee.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

SATURDAY, MARCH 2, 1811.

Mr. Cutts reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act to establish the districts of Memphreymagog, of Oswegatchie, and of the White Mountains;" also, the bill, entitled "An act to erect a light-house on Boon Island, in the state of Massachusetts, to place buoys off Cape Fear river, and to erect a beacon at New Inlet, in the state of North Carolina, and to place buoys at the entrance of the harbor of Edgartown, and to erect a column of stone on Cape Elizabeth, and to complete the beacons and buoys at the entrance of Beverly harbor, in the state of Massachusetts."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the two enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

Mr. Bradley, from the committee to whom was referred, on the 6th of February, the memorial of James Wilkinson, reported that the further consideration thereof be postponed to the next session of Congress.

*Ordered,* That the report lie on the table.

The bill, entitled "An act authorizing the issuing of debentures in certain cases," was read the second time.

On motion, by Mr. Leib,

*Resolved,* That it be referred to a select committee, to consider and report thereon.

*Ordered,* That Messrs. Bradley, Leib, and Smith, of Maryland, be the committee.

Mr. German, from the committee to whom was referred the bill, entitled "An act to annex a part of the state of New Jersey to the collection district of New York; to remove the office of collector of Niagara to Lewiston; to make Cape St. Vincent, in the district of Sacket's Harbor, a port of delivery; and out of the districts of Miami and Mississippi, to make two new districts, to be called the districts of Sandusky and Teche, and for other purposes;" reported it without amendment.

On motion, by Mr. Smith, of Maryland,

The bill was read the third time by unanimous consent.

*Resolved,* That this bill pass.

*Ordered,* That the Secretary notify the House of Representatives accordingly.

Mr. Clay, from the committee to whom was referred, on the 25th February, the memorial of the stockholders of the Bank of the United States, praying an extension of their charter, so as to enable them to settle the accounts of the bank, reported that the prayer of the memorial ought not to be granted.

*Ordered,* That the report lie on the table.

The bill, entitled "An act supplementary to the act, entitled 'An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes,'" was read the third time.

On motion, by Mr. Bradley,

That the bill be referred to a select committee, for the purpose of inserting the following section after the second section:

"*And be it further enacted,* That, in the event of its appearing to the President of the United States that the decrees of France have not been so revoked or modified as to cease to violate the neutral commerce of the United States from and after the second day of February, one thousand eight hundred and eleven, the President of the United States shall declare the fact by proclamation, and the said proclamation shall be conclusive evidence of the fact, and thereupon the operation of this act, and also of such parts of the act to which this act is a supplement, as were put into operation by the President's proclamation of the second of November last, shall cease and determine."

It was determined in the negative, { Yeas . . . . . 9,  
Nays . . . . . 20.

On motion, by Mr. Bradley,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bayard, Bradley, Dana, Goodrich, Horsey, Lloyd, Pickering, and Pope.

Those who voted in the negative, are,

Messrs. Brent, Campbell, Clay, Condit, Franklin, Gaillard, German, Gilman, Gregg, Lambert, Leib, Mathewson, Robinson, Smith, of Maryland, Smith, of New York, Tait, Taylor, Turner, Whiteside, and Worthington.

On the question, Shall this bill pass?

It was determined in the affirmative, { Yeas . . . . . 20,  
{ Nays . . . . . 7.

On motion,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Brent, Campbell, Clay, Condit, Franklin, Gaillard, Gilman, Gregg, Lambert, Mathewson, Pope, Robinson, Smith, of Maryland, Smith, of New York, Tait, Taylor, Turner, Whiteside, and Worthington.

Those who voted in the negative, are,

Messrs. Bayard, Bradley, Dana, Goodrich, Horsey, Lloyd, and Pickering.

So it was

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

Mr. Tait, from the committee to whom was referred the bill, entitled "An act declaring the consent of Congress to an act of the state of Georgia, passed the twelfth of December, one thousand eight hundred and four, establishing the fees of the harbor master and health officer of the ports of Savannah and St. Mary's," reported it without amendment.

On motion, by Mr. Smith, of Maryland,

The bill was read the third time by unanimous consent.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The Senate resumed, as in committee of the whole, the bill, entitled "An act authorizing a loan of money for a sum not exceeding five millions of dollars," together with the amendment reported thereto by the select committee; and the amendment having been agreed to, the President reported the bill to the House accordingly.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

Mr. Cutts, from the committee, reported the amendment to the bill last mentioned, correctly engrossed; and,

On motion, by Mr. Smith, of Maryland,

The bill was read the third time as amended, by unanimous consent?

*Resolved*, That this bill pass with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Cutts reported, from the committee, that they this day laid before the President of the United States the following enrolled bills: the bill, entitled "An act to establish the districts of Memphreymagog, of Oswegatchie, and of the White Mountains;" the bill, entitled "An act to erect a light-house on Boon Island, in the state of Massachusetts, to place buoys off Cape Fear river, and to erect a beacon at New Inlet, in the state of North Carolina, and to place buoys at the entrance of the harbor of Edgartown, and to erect a column of stone on Cape Elizabeth, and to complete the beacons and buoys at the entrance of Beverly harbor in the state of Massachusetts;" also, the bill, entitled "An act for establishing trading houses with the Indian tribes."

Mr. Taylor, from the committee to whom was referred the bill, entitled "An act for the relief of John Macnamara," reported it with an amendment, which was considered as in committee of the whole; and, having agreed to the amendment, the President reported the bill to the House accordingly.

On the question, Shall this bill be read the third time as amended?

It was determined in the affirmative.

Mr. Cutts, from the committee, reported the amendment to the bill last mentioned, correctly engrossed; and,

On motion, by Mr. Bradley,

The bill was read the third time, as amended, by unanimous consent.

*Resolved*, That this bill pass with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

The Senate resumed the motion made yesterday by Mr. Pickering, that the injunction of secrecy on certain papers, communicated confidentially to the Senate, be taken off; and,

On motion, by Mr. Bayard,

*Resolved*, That the injunction of secrecy be taken off in relation to the vote of the Senate this day on the resolution of the first March, offered by Mr. Pickering.

On the question to agree to the original motion,

It was determined in the negative, { Yeas . . . . . 8,  
{ Nays . . . . . 14.

On motion, by Mr. Pickering,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Goodrich, Lloyd, Pickering, Reed, Smith, of New York, Taylor, and Turner.

Those who voted in the negative, are,

Messrs. Anderson, Condit, Cutts, Franklin, Gaillard, Gregg, Lambert, Leib, Pope, Robinson, Smith, of Maryland, Tait, Whiteside, and Worthington.

After the consideration of the Executive business,

The Senate adjourned to 6 o'clock this evening; to which time the several orders of the day were postponed.

### SATURDAY EVENING, 6 o'clock.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The bill, which had passed the two Houses of Congress at the present session, entitled "An act for the relief of Richard Tervin, William Coleman, Edwin Lewis, Samuel Mims, Joseph Wilson, and the Baptist church at Salem meeting-house, in the Mississippi territory," and presented to the President of the United States for his approbation, has been returned by the President of the United States with the following objection:

"Because the bill, in reserving a certain parcel of land of the United States, for the use of the said Baptist church, comprises a principle and precedent for the appropriation of funds of the United States, for the use and support of religious societies, contrary to the article of the constitution which declares that Congress shall make no law respecting a religious establishment."

And the House of Representatives, in which House the bill originated, have taken the question in the constitutional way, and have

*Resolved*, That the said bill do not pass.

The House of Representatives concur in the amendment of the Senate to the bill, entitled "An act authorizing a loan of money for a sum not exceeding five millions of dollars;" also, in the amendment to the bill, entitled "An act for the relief of John Macnamara." They have passed the bill, sent from the Senate, entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands, in the territories of Orleans and Louisiana; and to repeal the act passed for the same purpose, and approved February 16, 1811." The House of Representatives have also passed a bill, entitled "An act concerning invalid pensioners;" a bill, entitled "An act making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States;" and the bill, entitled "An act for allowing a reasonable compensation to the persons who have taken an account of the several manufacturing establishments and manufactures within the United States;" in which bills they desire the concurrence of the Senate. And he withdrew.

The three bills last mentioned were read.

*Ordered*, That they severally pass to the second reading.

Mr. Cutts reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act authorizing a loan of money for a sum not exceeding five millions of dollars;" the bill, entitled "An act supplementary to the act, entitled 'An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes;'" the bill, entitled "An act declaring the consent of Congress to an act of the state of Georgia, passed the 12th of December, one thousand eight hundred and four, 'establishing the fees of the harbor master and health officer of the ports of Savannah and St. Mary's;'" the bill, entitled "An act to extend the time for completing the third census or enumeration of the inhabitants of the United States;" the bill, entitled "An act for the relief of John Macnamara;" the bill, entitled "An act to annex a part of the state of New Jersey to the collection district of New York; to remove the office of collector of Niagara to Lewiston; to make Cape St. Vincent, in the district of Sacket's Harbor, a port of delivery; and out of the districts of Miami and Mississippi to make two new districts, to be called the districts of Sandusky and Teche; and for other purposes;" also, the bill, entitled "An act providing for the final adjustment of claims to lands, and for

the sale of the public lands, in the territories of Orleans and Louisiana; and to repeal the act passed for the same purpose, and approved, February 16, 1811."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the seven enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

Agreeably to notice, Mr. Campbell asked and obtained leave to bring in a bill for the relief of Richard Tervin, William Coleman, Edwin Lewis, Samuel Mims, and Joseph Wilson; and,

On motion, by Mr. Smith, of Maryland,

The bill was read the first and second time by unanimous consent.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

Mr. Cutts, from the committee, reported the bill last mentioned correctly engrossed; and the bill was read the third time by unanimous consent.

*Resolved,* That this bill pass, and that the title thereof be "An act for the relief of Richard Tervin, William Coleman, Edwin Lewis, Samuel Mims, and Joseph Wilson."

*Ordered,* That the Secretary request the concurrence of the House of Representatives in this bill.

On motion, by Mr. Franklin,

The bill, entitled "An act concerning invalid pensioners," was read the second time by unanimous consent, and considered as in committee of the whole; and the bill having been amended, the President reported it to the House accordingly.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

Mr. Gilman, from the committee, reported the amendment to the bill last mentioned correctly engrossed.

On motion, by Mr. Smith, of Maryland,

The bill, entitled "An act making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States," was read the second and third times by unanimous consent.

*Resolved,* That this bill pass.

*Ordered,* That the Secretary notify the House of Representatives accordingly.

On motion, by Mr. Smith, of Maryland,

The bill, entitled "An act for allowing a reasonable compensation to the persons who have taken an account of the several manufacturing establishments and manufactures within the United States," was read the second time by unanimous consent.

On motion, by Mr. Turner,

The bill last mentioned was read the third time by unanimous consent.

*Resolved,* That this bill pass.

*Ordered,* That the Secretary notify the House of Representatives accordingly.

Mr. Campbell presented the petition of a number of inhabitants of the state of Ohio, praying a continuation of the road from the city of Washington to the Ohio river, (at or near Wheeling, in the state of Virginia,) through the state of Ohio and the Indiana territory, for reasons mentioned therein; and the petition was read.

*Ordered,* That it lie on the table.

On motion,

The Senate adjourned to 10 o'clock to-morrow morning; to which time the several orders of the day were postponed.

## SUNDAY, MARCH 3, 1811.

Mr. Cutts reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States;" also, the bill, entitled "An act for allowing a reasonable compensation to the persons who have taken an account of the several manufacturing establishments and manufactures within the United States."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives have passed the bill, sent from the Senate, entitled "An act for the relief of Richard Tervin, William Coleman, Edwin Lewis, Samuel Mims, and Joseph Wilson," with an amendment, in which they desire the con-

cence of the Senate; also, the bill, entitled "An act in addition to the act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio," with an amendment, in which they desire the concurrence of the Senate.

They have passed a bill, entitled "An act making appropriations for carrying into effect a treaty between the United States and the Great and Little Osage nations of Indians, concluded at Fort Clarke, on the 10th day of November, one thousand eight hundred and eight, and for other purposes;" also, a bill, entitled "An act to increase the salaries of the judges of the circuit court for the District of Columbia;" in which bills they desire the concurrence of the Senate.

The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the two enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The two bills last brought up for concurrence were severally read the first and second times by unanimous consent.

*Ordered*, That they severally pass to the third reading.

A message from the President of the United States, by Mr. Coles, his Secretary:

*Mr. President*: The President of the United States, on the 2d instant, approved and signed "An act to establish the districts of Memphreymagog, of Oswegatchie, and of the White Mountains."

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The bill, entitled "An act concerning invalid pensioners," was read the third time as amended.

*Resolved*, That this bill pass with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider the amendment of the House of Representatives to the bill, entitled "An act for the relief of Richard Tervin, William Coleman, Edwin Lewis, Samuel Mims, and Joseph Wilson."

Whereupon,

*Resolved*, That they concur therein.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The Senate proceeded to consider the amendment of the House of Representatives to the bill, entitled "An act in addition to the act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio."

Whereupon,

*Resolved*, That they concur therein.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

Mr. Cutts reported, from the committee, that, on the second instant, they laid before the President of the United States the following enrolled bills: the bill, entitled "An act supplementary to the act, entitled 'An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes;'" the bill, entitled "An act declaring the consent of Congress to an act of the state of Georgia, passed the 12th of December, 1804, establishing the fees of the harbor master and health officer of the ports of Savannah and St. Mary's;" the bill, entitled "An act authorizing a loan of money for a sum not exceeding five millions of dollars;" the bill, entitled "An act for the relief of John Macnamara;" the bill, entitled "An act to extend the time for completing the third census or enumeration of the inhabitants of the United States;" and the bill, entitled "An act to annex a part of the state of New Jersey to the collection district of New York; to remove the office of collector of Niagara to Lewiston; to make Cape St. Vincent, in the district of Sacket's Harbor, a port of delivery; and, out of the districts of Miami and Mississippi, to make two new districts, to be called the districts of Sandusky and Teche, and for other purposes." And that they this day laid before him the following enrolled bills: the bill, entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands, in the territories of Orleans and Louisiana, and to repeal the act passed for the same purpose, and approved February 16, 1811;" the bill, entitled "An act for allowing a reasonable compensation to the persons who have taken an account of the several manufacturing establishments and manufactures within the United States;" also, the bill, entitled "An act making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States."

On motion, by Mr. Reed,

The bill, entitled "An act to increase the salaries of the judges of the circuit court for the district of Columbia," was read the third time by unanimous consent.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

Mr. Smith, of Maryland, from the committee to whom was referred the bill to repeal the tenth section of the act, entitled "An act to incorporate the subscribers to the Bank of the United States," and the third section of the act, entitled "An act supplementary to an act, entitled 'An act to establish the compensation of the officers employed in the collection of the duties on impost and tonnage,'" reported it without amendment; and,

On his motion,

*Ordered*, That the further consideration thereof be postponed to the first Monday in December next.

Mr. Smith, of Maryland, from the committee to whom was recommitted the bill for the relief of the collectors of the ports of Norfolk, Baltimore, and Philadelphia," reported it without amendment; and,

On his motion,

*Ordered*, That the further consideration thereof be postponed to the first Monday in December next.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives agree to the amendment of the Senate to the bill, entitled "An act concerning invalid pensioners." And he withdrew.

Mr. Cutts reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act in addition to the act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio;" the bill, entitled "An act for the relief of Richard Tervin, William Coleman, Edwin Lewis, Samuel Mims, and Joseph Wilson, of the Mississippi territory;" the bill, entitled "An act to increase the salaries of the judges of the circuit court for the district of Columbia;" also, a bill, entitled "An act concerning invalid pensioners."

On motion, by Mr. Bradley,

The bill, entitled "An act making appropriations for carrying into effect a treaty between the United States and the Great and Little Osage nations of Indians, concluded at Fort Clarke on the 10th day of November, 1808, and for other purposes," was read the third time by unanimous consent.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

Mr. Bradley, from the committee to whom was referred the bill, entitled "An act authorizing the issuing of debentures in certain cases," reported it without amendment; and,

On his motion,

*Ordered*, That the further consideration thereof be postponed to the first Monday in December next.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The President of the United States, on the 2d instant, approved and signed the following acts: "An act supplementary to the act, entitled 'An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes,'" "An act for establishing trading houses with the Indian tribes," "An act declaring the consent of Congress to an act of the state of Georgia, passed the 12th of December, 1804, establishing the fees of the harbor master and health officer of the ports of Savannah and St. Mary's;" "An act for the relief of John Macnamara;" "An act to erect a light-house on Boon Island, in the state of Massachusetts, to place buoys off Cape Fear river, and to erect a beacon at New Inlet, in the state of North Carolina, and to place buoys at the entrance of the harbor of Edgartown, and to erect a column of stone on Cape Elizabeth, and to complete the beacons and buoys at the entrance of Beverly harbor, in the state of Massachusetts;" "An act authorizing a loan of money for a sum not exceeding five millions of dollars;" "An act to extend the time for completing the third census or enumeration of the inhabitants of the United States;" "An act to annex a part of the state of New Jersey to the collection district of New York; to remove the office of collector of Niagara to Lewiston; to make Cape St. Vincent, in the district of Sacket's Harbor, a port of delivery; and, out of the districts of Miami and Mississippi, to make two new districts, to be called the districts of Sandusky and Teche, and for other purposes." The House of Representatives have passed the bill sent from the Senate, entitled "An act to extend the right of suffrage in the Indiana territory, and for other purposes," with amendments; in which they desire the concurrence of the Senate. They have

passed a bill, entitled "An act allowing additional compensation to the Postmaster General;" in which bill they desire the concurrence of the Senate. The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate, for the signature of their President. And he withdrew.

The President signed the four enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The bill last brought up for concurrence was read.

On motion, by Mr. Bradley,

That it be now read a second time by unanimous consent,

It was objected to.

The Senate proceeded to consider the amendments of the House of Representatives to the bill, entitled "An act to extend the right of suffrage in the Indiana territory, and for other purposes."

Whereupon,

*Resolved*, That they concur therein.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

After the consideration of the Executive and confidential business,

The Senate adjourned to 6 o'clock in the evening; to which time the unfinished business was postponed.

### SUNDAY EVENING, six o'clock.

Mr. Cutts reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act to extend the right of suffrage in the Indiana territory, and for other purposes;" also, the bill, entitled "An act making appropriations for carrying into effect a treaty between the United States and the Great and Little Osage nations of Indians, concluded at Fort Clarke on the 10th day of November, 1808, and for other purposes." That they had laid before the President of the United States the following enrolled bills: the bill, entitled "An act concerning invalid pensioners;" the bill, entitled "An act for the relief of Richard Tervin, William Coleman, Edwin Lewis, Samuel Mims, and Joseph Wilson, of the Mississippi territory;" the bill, entitled "An act to increase the salaries of the judges of the circuit court for the district of Columbia;" also, the bill, entitled "An act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio."

A message from the President of the United States, by Mr. Coles, his Secretary:

*Mr. President*: The President of the United States this day approved and signed the "Act for the relief of Richard Tervin, William Coleman, Edwin Lewis, Samuel Mims, and Joseph Wilson, of the Mississippi territory;" also the "Act in addition to the act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio."

*Ordered*, That the Secretary notify the House of Representatives accordingly.

On motion,

*Resolved*, That Messrs. Turner and Condit be a committee on the part of the Senate, with such committee as the House of Representatives may join, to wait on the President of the United States and notify him, that, unless he may have any further communications to make to the two Houses of Congress, they are ready to adjourn.

*Ordered*, That the Secretary acquaint the House of Representatives therewith, and request the appointment of a committee on their part.

Mr. Bayard asked leave to bring in a bill making further appropriations for completing the Capitol, and for other purposes; and the unanimous consent of the Senate being necessary,

It was objected to.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have postponed indefinitely the bill sent from the Senate, entitled "An act authorizing the sale and grant of a certain quantity of public land to the Chesapeake and Delaware Canal Company."

The President of the United States this day approved and signed the following acts: the "Act concerning invalid pensioners;" the "Act to increase the salaries of the judges of the circuit court for the district of Columbia;" the "Act for allowing a reasonable compensation to the persons who have taken an account of the several manufacturing establishments and manufactures within the United States;" the "Act making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States;" the "Act providing for the final adjustment of claims to lands, and for the sale of the public lands, in the territories of Orleans

and Louisiana, and to repeal the act passed for the same purpose, and approved February 16th, 1811."

The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the two enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

Mr. Cutts reported, from the committee, that they had laid before the President of the United States the following enrolled bills: The bill, entitled "An act to extend the right of suffrage in the Indiana territory, and for other purposes;" also, the bill, entitled "An act making appropriations for carrying into effect a treaty between the United States and the Great and Little Osage nations of Indians, concluded at Fort Clarke, on the 10th day of November, 1808, and for other purposes."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives have passed a bill, entitled "An act to remit certain fines, penalties, and forfeitures;" a bill, entitled "An act for the relief of Charles Minifie;" also, a bill, entitled "An act for the relief of Lieutenant Colonel William Dent Beall;" in which bills they desire the concurrence of the Senate. And he withdrew.

The three bills last brought up for concurrence were read.

*Ordered,* That they be severally postponed until the first Monday in December next.

*Ordered,* That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives have postponed indefinitely the bill sent from the Senate, entitled "An act making further provision for the corps of engineers;" the bill, entitled "An act to authorize the surveying and making of certain roads in the state of Ohio, as contemplated by the treaty of Brownstown, in the territory of Michigan;" the bill, entitled "An act concerning the communication by water along the northern confines of the United States;" the bill, entitled "An act authorizing a subscription on the part of the United States, to the stock of the Ohio Canal Company;" the bill, entitled "An act to authorize the payment of certain certificates, credits, and pensions, and for other purposes;" also, the bill, entitled "An act authorizing the President of the United States to accept the service of a number of volunteer companies, not exceeding fifty thousand men."

The President of the United States this day approved and signed the "Act making appropriations for carrying into effect a treaty between the United States and the Great and Little Osage nations of Indians, concluded at Fort Clarke, on the 10th day of November, 1808, and for other purposes." And he withdrew.

A message from the President of the United States, by Mr. Coles, his Secretary:

*Mr. President:* The President of the United States this day approved and signed the "Act to extend the right of suffrage in the Indiana territory, and for other purposes."

*Ordered,* That the Secretary notify the House of Representatives accordingly.

The Senate resumed the bill, entitled "An act allowing additional compensation to the Postmaster General;" and,

On motion, by Mr. Anderson,

*Ordered,* That the further consideration thereof be postponed to the first Monday in December next.

*Ordered,* That the Secretary notify the House of Representatives accordingly.

On motion,

*Resolved,* That Mr. Franklin be added to the committee for enrolled bills.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives concur in the resolution for the appointment of a joint committee to wait upon the President of the United States, and notify him of the intended recess, and have appointed a committee on their part. And he withdrew.

Mr. Turner, from the joint committee, reported that they had waited upon the President of the United States, who informed them, that he had no further communications to make to the two Houses of Congress.

On motion,

*Ordered,* That the Secretary notify the House of Representatives that the Senate, having finished the business before them, are about to adjourn. Whereupon,

The President adjourned the Senate without day.

## APPENDIX.

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### *List of Acts passed during the Third Session of the Eleventh Congress.*

An act to authorize the transportation of certain documents free of postage.

An act to fix the compensation of the additional Assistant Postmaster General.

An act for the relief of George Armroyd and Company.

An act providing for the final adjustment of claims to land, and for the sale of the public lands, in the territories of Orleans and Louisiana.

An act to continue in force for a further time the first section of the act, entitled "An act further to protect the commerce and seamen of the United States against the Barbary powers."

An act making an additional appropriation to supply a deficiency in the appropriation for the relief and protection of distressed American seamen during the year 1810.

An act providing for the removal of the land office established at Nashville, in the state of Tennessee, and Canton, in the state of Ohio, and to authorize the register and receiver of public moneys to superintend the public sales of land in the district east of Pearl river.

An act to enable the people of the territory of Orleans to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes.

An act concerning the bank of Alexandria.

An act to change the name of Lewis Grant, to that of Lewis Grant Davidson.

An act making appropriations for the support of government for the year 1811.

An act making appropriations for the support of the military establishment for the year 1811.

An act making appropriations for the support of the navy of the United States for the year 1811.

An act to incorporate the bank of Potomac.

An act to incorporate the bank of Washington.

An act to incorporate the subscribers to the Farmers' Bank of Alexandria.

An act for the relief of the heirs of the late Major General Anthony Wayne.

An act to incorporate the Union Bank of Georgetown.

An act making compensation to John Eugene Leitensdorfer, for services rendered the United States in the war with Tripoli.

An act authorizing the discharge of Nathaniel F. Fosdick from his imprisonment.

An act for the relief of William Mills.

An act to enable the Georgetown Potomac Bridge Company to levy money for the object of its incorporation.

An act making a further distribution of such laws of the United States as respect the public lands.

An act providing for the sale of a tract of land lying in the state of Tennessee, and a tract in the Indiana territory.

An act for the relief of Richard Tervin, William Coleman, Edwin Lewis, Samuel Mims, and Joseph Wilson, of the Mississippi territory.

An act to increase the salaries of the judges of the circuit court for the district of Columbia.

An act for the relief of Peter Audrain.

An act establishing navy hospitals.

An act for establishing trading houses with the Indian tribes.

An act in addition to the act, entitled "An act supplementary to the act concerning consuls and vice consuls," and for the further protection of American seamen.

An act supplementary to the act, entitled "An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes."

An act to authorize the Secretary of War to ascertain and settle, by the appointment of commissioners, the exterior line of the public land at West Point, with the adjoining proprietor.

An act to erect a light-house on Boon Island, in the state of Massachusetts, to place buoys off Cape Fear river, and to erect a beacon at New Inlet, in the state of North Carolina, and to place buoys at the entrance of the harbor of Edgartown, and to erect a column of stone on Cape Elizabeth, and to complete the beacons and buoys at the entrance of Beverly harbor, in the state of Massachusetts.

An act to establish the districts of Memphreymagog, Oswegatchie, and of the White Mountains.

An act authorizing a loan of money for a sum not exceeding five millions of dollars.

An act declaring the consent of Congress to an act of the state of Georgia, passed the 12th of December, 1804, establishing the fees of the harbor master and health officer of the ports of Savannah and St. Mary's.

An act to annex a part of the state of New Jersey to the collection district of New York; to remove the office of collector of Niagara to Lewiston; to make Cape St. Vincent a port of delivery; and, out of the districts of Miami and Mississippi, to make two new districts, to be called the districts of Sandusky and Teche, and for other purposes.

An act for the relief of John Macnamara.

An act to extend the time for completing the third census or enumeration of the inhabitants of the United States.

An act concerning invalid pensioners.

An act making appropriations for carrying into effect a treaty between the United States and the Great and Little Osage nations of Indians, concluded at Fort Clarke, on the 10th day of November, 1808, and for other purposes.

An act for allowing a reasonable compensation to the persons who have taken an account of the several manufacturing establishments and manufactures within the United States.

An act to extend the right of suffrage in the Indiana territory, and for other purposes.

An act in addition to the act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio.

An act providing for the final adjustment of claims to lands, and for the sale of the public lands, in the territories of Orleans and Louisiana, and to repeal the act passed for the same purpose, and approved February 16th, 1811.

An act making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States.

*Senators of the United States whose seats will be vacated:*

MARCH, 1813.	MARCH, 1815.	MARCH, 1817.
Mr. Bradley, Campbell, Cutts, Franklin, Gaillard, Goodrich, Gregg, Pope, Reed, Smith, of New York, Tait.	Mr. Anderson, Brent, Champlin, Dana, German, Horsey, Lambert, Leib, Lloyd, Robinson, Smith, of Maryland. Worthington.	Mr. Bayard, Bibb, Condit, Crawford, Giles, Gilman, Howell, Taylor, Turner, Whiteside, VACANT. Massachusetts, one.

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TO THE

## FIRST SESSION OF THE NINTH CONGRESS

OF

## THE UNITED STATES.

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OF

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